



STATE OF NEW YORK  
**EXECUTIVE CHAMBER**  
ALBANY 12224

**ANDREW M. CUOMO**  
GOVERNOR

**JIM MALATRAS**  
DIRECTOR OF STATE OPERATIONS

December 18, 2014

Dr. Merryl H. Tisch, Chancellor  
New York State Board of Regents  
Regents Office  
State Education Building  
89 Washington Avenue  
Albany, NY 12234

Dr. John B. King, Jr., Commissioner of Education  
New York State Education Department  
89 Washington Avenue  
Albany, New York 12234

Dear Chancellor Tisch and Commissioner King:

As you know, one of most important obligations we have is educating our children. Although over the past four years we have done much to improve public education, we continue to face critical challenges. Although we spend the most per pupil than any other state, we lag behind in graduation rates, only 34.8 percent of our students are proficient in math, 31.4 percent proficient in ELA and only 37.2 percent of our high school students are college ready.

We all can agree that this is simply unacceptable.

Governor Cuomo believes in public education—it can open up unlimited opportunity to our students. But the system must work. Virtually everyone agrees that the system must be reformed and improved. That is why he will pursue an aggressive legislative package to improve public education. Part of the package will be to strengthen one of our most important professions—teaching. While some seek to demonize teachers, Governor Cuomo believes the exact opposite—wanting to reward excellence in teaching and by recruiting the best and brightest into the profession.

As you know, the Governor has little power over education, which is governed by the Board of Regents. The Governor's power is through the budget process and he intends to introduce the reforms during that process.

Over the recent campaign Governor Cuomo spoke to New Yorkers all across the state that had many questions about why we've fallen behind and what we could do to fundamentally improve public education. Therefore, we'd ask that you consider the following questions Governor Cuomo heard from New Yorkers to help start addressing some of these critical issues in education.

We understand that change is difficult and that there are political realities, but please give your opinion without political filters or consideration of the power of special interests and respond on what you think is best as a pure matter of policy. Leave the political maneuvers to the legislative process so at least the conversation is informed and the public sees what enlightened policy would do.

So, let's reframe the Albany dialogue from what is politically acceptable to what is the best education program for our future. In essence, what is the right thing to do for our students?

1. How is the current teacher evaluation system credible when only one percent of teachers are rated ineffective? The NYC system was negotiated by Commissioner King directly and no one claims it is an accurate reflection of the reality of the state of education in NYC. What should the percentages be between classroom observations (i.e. subjective measures) and state assessments, including state tests (i.e. objective measures)? What percent should be set in law versus collectively bargained? Currently, the scoring bands and "curve" are set locally for the 60 percent subjective measures. What should the scoring bands be for the subjective measure and should the state set a standard scoring band? In general, how would you change the law to construct a rigorous state-of-the-art teacher evaluation system?
2. How would you address the problem of removing poor-performing educators when the current 3020-a process makes it virtually impossible to do so? Likewise, how would you change the system in New York City where poor-performing educators, with disciplinary problems, continue to be paid in the absent teacher reserve pool as opposed to being terminated?
3. What changes would you make to the teacher training and certification process to make it more rigorous to ensure we recruit the best and brightest teachers? Do you agree that there should be a one-time competency test for all teachers currently in the system? What should be done to improve teaching education programs across the state?
4. What financial or other incentives would you provide to high-performing teachers and would you empower administrators to make those decisions?
5. Do you think the length of a teacher's probationary period should be extended and should the state create a program whereby teachers have to be recertified every several years, like lawyers and other professions? What other changes would you propose to the probationary period before a teacher is granted tenure?
6. What steps would you take to dramatically improve priority or struggling schools—schools that condemn generation of kids to poor educations and thus poor life prospects? Specifically, what should we do about the deplorable conditions of the education system in Buffalo?

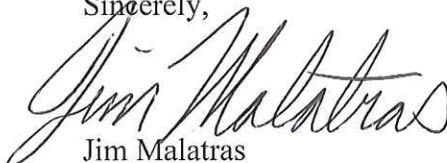
7. What is your vision for charter schools? As you know, in New York City the current charter cap is close to being reached, so would you increase the charter school cap? To what? What other reforms would you make to improve charter schools' ability to serve all students?
8. Do you support using technology to improve public education, like offering online AP courses by college faculty to high schools students who do not have any such courses now, even though these changes have been resisted by education special interests?
9. What would you do about mayoral control in NYC and do you support mayoral control in other municipalities? What changes and improvements would you make to NYC Mayoral control?
10. There are approximately 700 school districts in New York many of which have declining enrollment. Do you think we should restructure the current system through mergers, consolidations or regionalization? If so, how would you do it?
11. As you know, the appointment and selection process of the Board of Regents is unique in that, unlike other agencies, selections and appointments are made by the Legislature. Would you make changes to the selection and appointment process? If so, what are they?
12. Chancellor, the Board of Regents is about to replace Dr. King; can we design an open and transparent selection process so parents, teachers and legislators have a voice?

Several weeks ago Governor Cuomo said that improving education is thwarted by the monopoly of the education bureaucracy. The education bureaucracy's mission is to sustain the bureaucracy and the status quo and therefore it is often the enemy of change. The result is the current system perpetuates the bureaucracy but, fails our students in many ways.

Tackling these questions with bold policy and leadership could truly transform public education and finally have it focus on the student as opposed to the bureaucracy.

With Commissioner King's imminent departure we hope he can give us his best advice now free from external pressure before his departure. I've worked closely with Dr. King over the past several years and I want to wish him much success in his new endeavor. On behalf of Governor Cuomo, I look forward to hearing your responses by December 31 so they can be considered in the Governor's State of the State address.

Sincerely,

A handwritten signature in black ink that reads "Jim Malatras". The signature is fluid and cursive, written in a professional style.

Jim Malatras

Director of State Operations