



NEW YORK STATE SENATOR

Jack M. Martins

## From the Desk of Senator Jack M. Martins

JACK M. MARTINS May 4, 2015

| ISSUE: **EDUCATION**

### **A New Direction**

It was the unflappable Winston Churchill, who said, “Democracy is the worst form of government, except for all those other forms that have been tried from time to time.”

That’s been particularly true the last few weeks as I’ve read enough angry mail to last a lifetime, postulations on everything from my position in the hereafter to my IQ, even a few tasteless messages involving my children. The majority were from teachers angry with my vote on Governor Cuomo’s education proposals in this year’s budget, so let me begin by saying, I get it. I understand why teachers and parents are angry and despite knee-jerk accusations, I am actually in solidarity with them. But I don’t presume to tell educators how to educate. Nor, by the same measure, can I expect people to understand the sometimes convoluted workings of state government.

To that end, I’ve met with stakeholders and have been staying late at the office to call back parents and teachers who have left messages. I wanted to hear their concerns firsthand and to set the record straight on what actually passed, why, and where we go from here.

It must first be clear that Governor Cuomo directly linked his controversial education proposals to his state budget plan, specifically tying their passage to the distribution of state

school aid. Upon our objecting he threatened an “extender budget” which meant he’d pass an “emergency” budget with those precise measures in place or shut down New York State government entirely if we did not reach some consensus by the April 1st budget deadline. That meant no funds for local governments, hospitals, nonprofits, mass transit, highways, etc. At the time, Capital New York wrote, “In effect, Cuomo is forcing the Legislature to choose between accepting his proposals and striking large portions of budget funding.”

In essence we were being wedged between a rock and hard place, as shutting down government for 19 million New Yorkers would be chaos. The only real acceptable course was to negotiate and live to fight another day. So let’s first have the facts on those negotiations:

- The Governor increased the share of teacher ratings based on state tests from 20% to 50%. Our budget rejected that. Rather than have politicians set evaluations, we gave the responsibility to the Board of Regents and the State Education Department (SED), because we feel that education professionals should come up with education policy. Naysayers call it passing the buck. I call it sensibly protecting our kids by removing the politics – but more on that later.

- We also required a public comment period so that all stakeholders can voice their concerns. That public comment period is ongoing and comments can be emailed to [eval2015@nysed.gov](mailto:eval2015@nysed.gov). This was nonexistent in the Governor’s proposal.

- Another misconception was that there’d be increased testing. In actuality our agreement requires SED to develop plans to reduce testing by June 1st. I repeat: our goal is reduced testing.

- The Governor insisted teacher evaluations be performed by entities outside of their school districts. We negotiated for districts to choose other principals, personnel, or “peer

teachers” right in their home districts.

- The Governor increased probation for teacher tenure from three years to five years with a complete restart of the five year probation if a teacher fails to receive an “effective” or “highly effective” rating in any of those years. We delivered four years and eliminated the entire restart clause.

The head of one of the state’s largest teachers union called this a victory, saying it will “immediately increase state aid to schools, provide that teachers are evaluated on more than a single student test score and ensure local oversight of struggling schools.” Despite all this, people are still troubled so let’s get down to brass tacks and discuss the overarching dilemma and what can be done about it.

For six years now we New Yorkers have watched our education system turn into a contentious, labor-disputed battleground marred by illogical curriculum and test changes that have left kids, parents, and teachers equally anxious. Rather than Common Core uniting us via our universal desire for better education, it’s torn us apart and the victims are our children – not teachers, parents or politicians. Our kids are absolutely bearing the brunt of what has become a political process so for their sake let’s admit we need to start over.

Given the Governor’s position on making his reforms part of the budget process, we had to first free the budget, in order to come out on the other side to handle this legislatively. So what am I suggesting?

- An amendment to the state’s constitution that prevents the executive branch from tacking on policy issues to budgets, forcing the people to choose between bad policy and shutting down government. Policy should be determined by debate, deliberation and hearings, not take it or leave it threats from an intransigent executive.

- Let's hit the pause button. Let's agree to a two year moratorium on using any high-stakes testing for either student or teacher evaluations. We must give the Board of Regents adequate time to develop a proper and fair evaluation process with input from all sides.

- Release school aid now. It was unfairly tied to teachers and districts reaching an evaluation agreement by November 15th. Taxpayer-funded aid for taxpayers' children should not be held hostage to labor agreements.

- Do away with prepackaged testing purchased from corporations whose only interest is data mining. Two weeks ago our third graders were forced to take a sixth grade level test as per so-called educational objectives of these corporations. What possible value is there in this for children and how can this be used to fairly evaluate teachers? Let's take what's good, throw out what's bad and, most importantly, agree on challenging but age-appropriate evaluations that can be used diagnostically to further children learning.

Now if all this seems tedious to you, it is. But if there's one thing I've conveyed to you these past few years, it's that government is indeed tedious. That doesn't mean we get to throw up our arms and walk away from the process. It has to be done.

I am therefore committed to writing the above legislation as there is authentic support for a new course of action in both the Senate and the Assembly. Should the bill be vetoed or somehow derailed, we will have to work together to overturn that with even greater support from our Senators and Assembly. In reality we may have a struggle on our hands that will require you, the constituents, rolling up your sleeves and getting involved. But I've listened to your heartfelt concerns and I agree that we have no choice but to alter the direction of education in our state.

Democracy is indeed messy sometimes, but it's our job to make it work.