

NYS SENATE EDUCATION COMMITTEE TESTIMONY
on the New York State Education Reform Agenda
“Assessing Our Progress”
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By **Dan Drmacich**
789 Blue Creek Drive
Webster, NY 14580
dandrmacich123@gmail.com

Introduction: Chairman of the **Coalition for Justice in Education** & former Principal of the Rochester City School District’s School Without Walls, (which is a member of the **NYS Performance Standards Consortium,**) for 23 years, until retirement in 2010, and teacher for 20 years.

Congratulations to Committee Chairman, John Flanagan for initiating these hearings, especially since many of the Regents and Federal Government Education Reform initiatives are being criticized by many NYS citizens. I applaud you for taking this action and will look forward to the Senate Education Committee developing courageous, research-based recommendations and legislation for needed change in NY’s education reform agenda.

The NYS Education reform effort, spearheaded by Commissioner John King, the Board of Regents, and Governor Cuomo is metaphorically on the wrong train, on the wrong track, headed in the wrong direction. If it continues to move in this direction, the train will go over a cliff, continuing to seriously injure students, teachers, schools and the public teaching profession. The train wreck will also result in negatively affecting our society by preventing the development of citizens who can think critically and solve societal problems, and who support the democratic values of the US Constitution.

The current NYS Education reform agenda is a “house of cards,” with no research to support its strategies. It is based on corporate business strategies of competition & survival of the fittest. These have no place in the field of public education, whose purpose should be to provide equity, opportunities and fairness to all students.

Allow me to identify the myths, misinformation, and fraudulent arguments that are simply wrong or lies, not supported by any research. For several of the following myths, I have borrowed heavily from Diane Ravitch’s new book, **Reign of Error,** who after serving as Under-Secretary of Education with George Bush I, and who initially supported the current direction of NYS and U.S. Education reform, realized the harm being created by it, and became our nation’s conscience for criticizing the current corporate/political, education, reform agenda.

Myth #1: International test scores, that place the U.S. in the middle of the pack of industrialized nations, proves that our public education system is failing.

Reality:

1.If the U.S. poverty-stricken students were disaggregated from the comparisons, the U.S. would be in the top ten for almost every category of international comparisons, and some in the top five. (Ravitch: **Reign of Error,** p.64)

2. It is not an issue of most students performing poorly on the tests, but an issue of the conditions of concentrated poverty impacting student performance on these tests. The top-scoring nations, Finland, South Korea and Singapore do not have the 21% poverty level that U.S. schools contend with. (Ravitch: Ibid., p.64))
3. On the international PISA tests, U.S. student scores for 15 year olds have not declined. They have remained stable or have improved. (Ravitch: Ibid., p.64.)
4. There is no association between international test scores and national economic success. "Standings in the league tables on international test scores are worthless." (Baker, Kappan, 10/07)

Myth #2: The current NYS education reform agenda, driven by the NYS Education Department, Governor Cuomo, the Federal Government and profit-making corporations, which emphasize more test-based accountability for students and teachers, parent and student choice through more charter schools, and higher standards, through the use of the Common Core Curriculum and assessments, will narrow the achievement gap between whites and Blacks, Hispanics and other low-income groups.

Reality:

1. Although there has been some improvement in NAEP scores by both Blacks & Hispanics since 1990, the achievement gap continues to be significant, due to the improvement of white students on these tests, as well. (Ravitch: Ibid., pp.48-50))
2. Family income has proven to be as significant a determinant for student performance on test scores as parent education levels. (Rothstein: Class & Schools)
3. Although there will always be exceptions to the general rule, as with the heroic efforts by some low-income students educated in schools with high concentrations of poverty, most students being schooled in these conditions do not succeed. Nationally, of Blacks & Hispanics who graduate from high school and go on to college, only 14% will graduate, compared to 54% of whites. (U.S. Dept. of Education Data, 2009)
4. The conditions of poverty, including high crime rates, high incarceration rates, violence, high levels of stress-related disorders, poor nutrition, dysfunctional parenting skills, housing and school segregation, few family and neighborhood successful role models, high teen pregnancy rates, poorly funded schools, poorly engaged students and low self-esteem, directly impact student engagement and performance. These conditions are the direct result of historical racism and discrimination, rooted in our social, economic and political structures.
"Public education did not cause the current achievement gaps and is not powerful enough to close the gaps, as many current corporate and political education reformers would have us believe. So long as our society, government and business community are indifferent to poverty, so long as we are willing to look the other way, rather than act vigorously to improve the conditions of families and communities, there will always be achievement gaps." (Ravitch, Ibid. pp.92-97)

Myth #3: Charter schools are successful.

Reality:

1. Charter schools attract more motivated parents & students, thereby increasing segregation and the concentration of poverty in publicly-run schools.
2. Many charter schools do not accept ESL, Special Needs, low-test scorers and behavioral problem students, thereby skewing standardized test scores in their favor.
3. The funding of charter schools through school taxes, drains more resources from schools that formerly educated these students.
4. Charter schools diminish democracy and disenfranchise the poor by operating as "top-down" decision makers, with few opportunities for input or appeal on organizational issues by parents or students.

5. The CREDO Study of Charter Schools out of Stanford University concluded that approximately 37% of Charter schools perform about the same as public schools, 46% do worse and about 17% do better than comparable public schools.
6. Charter school teachers and administrators are exempt from NYS APPR regulations. Why???? (NYS Legislation)
7. Profit-making charter schools are interested in lowering the cost of per-pupil costs, and will often use poorly trained “Teach for America” teachers.
8. Many charter schools exemplify the values of conformity, obedience and passivity, through scripted learning, militaristic disciplinary tactics and a huge “teach-to-the-test” mode of operation. Essentially, these may result in higher test scores, but there is little emphasis on creativity, higher-level thinking, citizenship, personal interests and character development.
(#s1-8, above, all Ravitch, Ibid. pp. 156-180)

Myth #4: The U.S. public schools have a “drop-out crisis” and graduation rates are falling.

Reality: Overall the U.S. graduation rates are increasing, and drop-out rates falling. However, where there are large concentrations of poverty, particularly in our cities, there are low graduation rates, that need serious attention. It is critical to note, however, that the emphasis on earning a high school diploma can often be a hollow victory if students do not have skills that can be applied to their roles as citizens, scholars and in their careers. (Ravitch) NYS does not emphasize performance-based assessments that test student ability to apply their skills to the real world. (Ravitch: Ibid.,pp.74-81)

Myth #5: Poverty is no excuse for poor student academic engagement and performance. Good teaching can overcome the negative aspects of concentrated poverty, no matter how great. “Great” teachers will be able to motivate and experience significant success with ALL children.

Reality: A 21st Century curriculum, performance-based assessments, positive student-teacher relationships, teaching strategies that emphasize experiential learning, more equitable resources for teachers to use with poor urban students and more professional development will help, but not eliminate the huge gap between poor students of color and white, middle-class students. (Ravitch)

1. The conditions of poverty matter. It affects children’s health & well-being. It affects their emotional stability and their attention spans, their motivation and their ability to concentrate on anything other than day-to-day survival.
2. Poverty is an abstraction for most middle or upper class, education decision makers, making it difficult for them to relate to the needs of poor students.
3. The U.S. has the distinction of having the highest rate of poverty of any economically advanced nation in the Western Hemisphere.
4. Poverty results in not only a significant increase in teen-pregnancies, but also insufficient pre-natal care. Pre-term birth rates in the U.S. have increased by 20% from 1990 to 2006, which is the leading cause of neurological disabilities in children. The earlier a child is born, the greater the chance of that child experiencing health problems that will affect their learning. (American Congress for Obstetricians and Gynecologists)
5. Lead poisoning, which has an irreversible impact on children’s cognitive development and responsible behavior, is estimated to have infected approximately 10,000 current students in the Rochester City School District. (Spezio: Rochester-area Lead Poison Coalition, 2012 interview)
6. The economic cost of pre-term births estimated by the Institute of Medicine in the U.S. was at least \$26.2 billion, annually, or \$51,600 per pre-term child.
7. Children born into poverty are less likely to:
 - Receive regular medical care,
 - See a dentist regularly,

- Have books & magazines available in their home,
- Be read to each day by a parent,
- Be enrolled in a pre-kindergarten program,
- Have their own bedroom with a quiet place to study,
- Hear more complex vocabulary in the home,
- Receive three nutritious meals each day at home,
- Live in sound, stable housing,
- Live in a safe neighborhood,
- Visit the local library or museum with family,
- Participate in after-school activities such as sports, drama, art, dance or music classes,
- Go on a family summer vacation or attend a summer camp,

And more likely to:

- Be born pre-term, and suffer the cognitive impairments, learning difficulties and attention deficits,
- Experience “fetal alcohol syndrome,” that occurs 10 times more often in low-income black children,
- Live in a dwelling infested with rats & roaches,
- Have a parent who’s incarcerated or unemployed,
- Be homeless,
- Move frequently and change schools,
- Have asthma & wake up tired, not ready for school,
- Become ill and not be treated by a doctor,
- Be hungry or suffer anemia due to a poor diet,
- Have undetected vision & hearing problems,
- Have toothaches and not see a dentist,
- Have lead poisoning,
- Be chronically absent from school,
- Be in a segregated school with fewer resources, experienced teachers and social capital,

Consequently, you can easily see which class of children will have the advantages in school and have the abilities to score higher on standardized tests, and graduate from high-school and college.

- In every nation, even those with high-performing students and a respected teaching profession, the gap between poor and advantaged students is greatest where income-inequality is greatest.
- The gaps are smallest in those countries like Finland that do and spend the most to support the well-being of poverty-stricken students.
- It would be next to impossible for the U.S. to replicate the success of high scoring nations like Finland, by focusing on school reform, alone, especially when the school reform pays little attention to meeting the social needs of disadvantaged children.
- “Those reformers who believe that fixing schools will fix poverty has no basis in reality, experience of evidence. This current reform effort in NYS delays the steps necessary to heal society and help children. Coincidentally, this reform effort castigates teachers for conditions they did not cause and do not control.

(All “Realities” for Myth #5, above, from Ravitch: Ibid., pp. 91-98)

Myth #6: The most effective method to accurately assess teacher proficiency is by using the standardized test scores of their students.

Reality:

1. All the research on human motivation demonstrates that neither students nor teachers are motivated toward long-term, significant learning through the use of test scores. (Pink: Drive, 2010)
2. Teachers play an important role in preparing students for standardized tests, however the concentration of poverty in each student's life, including the classroom, plays a much more significant role in affecting student test score results. As a result, a teacher with middle-class student demographics would predictably have high scoring students for one year, and students of low-socio-economic backgrounds, the following year or more, with low test scores. To assess this teacher as "deficient" or "needs improvement" could very well be inaccurate.
3. Since teacher and administrator evaluations are significantly impacted by their students' test results, additional emphasis will be placed on the content and skills that appear on the tests. Since almost all standardized tests assess student proficiency through the use of multiple-choice questions, using factual and conceptual recall, we can expect the curriculum to be restricted and narrowed, avoiding instruction that calls for thinking at higher levels. "Teachers teach what they test and test HOW they teach." (Lazzotte: Effective Schools Research: 1990 interview)
4. The socio-economic axiom, "Campbell's Law," states generally that whenever a socio-economic goal is reduced to a number, corruption is inevitable. Since the demand on students and teachers for high test scores are intense, corruption and perversion of the teaching, learning and assessment processes will occur in the form of the following:
 - Teaching to the test & narrowing the class curriculum,
 - Cheating by students,
 - Cheating by teachers & administrators,
 - Students not being challenged to experience higher-level thinking skill development,
 - Teachers and schools refusing to accept students who don't test well,
 - The school organization severely reducing classes that focus on student interest areas, like music, art, drama, citizenship, character development and physical education,
 - Teachers will decrease the degree of professional judgment and decision-making they exercise, by order of their administrators or by refusing to manipulate curriculum, standards and assessments for children's benefits.
5. The pool of creative, humanistic, passionate teacher candidates will diminish due to the unfairness of NY's APPR system and its impact on teacher autonomy, creativity and professionalism. (#s 1-5, above, from Ravitch, Ibid. pp. 99-114)

Myth #7: The Common Core State Standards, curriculum and tests, with their rigor and high expectations of students will result in students better prepared for college, citizenship and careers, and help close the achievement gap.

Reality:

1. There is no research or data to demonstrate that the Common Core agenda for schools will achieve anything positive.
2. No pilot programs were implemented to detect deficiencies with Common Core.
3. Many education researchers have criticized Common Core for what they see as "developmentally inappropriate" curriculum and assessments, particularly for elementary-aged students.
4. Many teachers are resistant to Common Core because few, if any, rank & file, teacher-practitioners were involved in the creation of Common Core standards, curriculum and assessments.
5. There was also little professional development for teachers and administrators in NYS for Common Core implementation.
6. The recent 2013 Common Core test results have resulted in demoralized students, teachers, administrators and parents.

7. However, the corporations emphasizing on-line learning and remediation, text books, and charter schools seem to be quite content with the low test scores, due to the opportunities for profit.

Myth #8: Early morning school starting times for middle and high school students helps students to learn self-discipline, facilitates more student engagement and generally benefits their overall development as adolescents.

Reality:

1. Research shows that there are significant brain changes in early adolescents that result in most teens not being able to fall asleep before 11:00 pm, and having difficulty arising before 8:00 am.
2. Many studies have shown the average teen to be sleep deprived.
3. As a result, many middle and high school students are subject to the following:
 - Mood impairment,
 - Self control of emotions,
 - Attention in class,
 - Memory retention,
 - Behavior control,
 - Depression,
 - Decrease motivation to academically engage,
 - School attendance and tardiness,
 - Exercising leadership qualities,
 - Reliance on stimulants to cope,
 - Automobile accidents,
 - Athletic injuries,
 - Cardio-vascular disease & metabolic dysfunction,
 - Impulse control, and
 - Academic achievement.
4. Delaying school starting times by as little as 30 minutes, has shown improvement in many of the areas identified, above, including standardized test achievement.

(All evidence for Myth #8 is from research by Judith Owens, Director of Sleep Medicine @ Children's National Medical Center)

Recommendations:

1. Develop and pass legislation that creates a "war on poverty," emphasizing:
 - Job training and creation,
 - Parent training,
 - Early childhood education, and
 - Incentives for middle-class suburbs to create "sliding-scale" housing developments.
2. Institute legislation that emphasizes incentives to middle class suburbs to collaborate with urban school districts for the creation of metropolitan school districts. (Hope and Despair in the American City: Grant)
3. Provide funding to reduce all poverty-stricken school districts class sizes to no more than 12 students per teacher.
4. Declare a moratorium on the use of Common Core and high-stakes testing, until it can be field tested for five years, and revised with extensive teacher and college/university involvement.
5. Using 21st Century Learning Skills as the standards, allow all school districts to create their own curriculum to help students grow & develop toward those 21st Century Skills.

- Require each student to demonstrate their proficiency, growth and development toward each skill through a portfolio that would contain student projects, presentations, performances, homework, teacher-created test results and other performance based evidence, that would be judged by two teachers and a professional community member for the purpose of feedback, revision and promotion.
 - The emphasis would no longer be upon comparison or competition between or among students or schools, but an emphasis upon individual student development; “Let all students become all that they are capable of being.”
6. Pass legislation that requires all middle and high schools to pilot later start times, to examine its impact on student behavior, student affect and academic performance.
 7. Provide incentives to school districts to replicate schools that adhere to the NYS Performance Standards Consortium teaching and learning processes. (See research and data on the Consortium website: www.performancestandards.org)
 8. Rescind the Charter School legislation and create legislation that allows school districts to innovate with school organization, curriculum, standards, pedagogy and assessments.
 9. Rescind the APPR statute and create a committee of teachers and college education professors to develop a new research-based teacher and administrator evaluation system.
 10. Require the NYSED to shift their role to be one of support and professional development.
 11. Work with the Board of Regents and/or draft legislation that will create a four-dimensional system of diplomas in NYS, emphasizing the following options for students:
 - A. The traditional Regents-driven diploma,
 - B. The Performance Standards Consortium diploma for any district or school interested in following the Consortium criteria,
 - C. Any new set of graduation requirements, approved & monitored by a local committee of ten NYS College/University education professors,
 - D. A vocational/technical diploma that relies upon career-oriented and citizenship skills, approved by a local committee of 5 College/University education professors and 5 local CEOs of local businesses.
 12. Encourage the resignation of NYSED Commissioner John King and the appointment of a commissioner who supports the above recommendations.
 13. Institute legislation that would require all future Board of Regents members to hold degrees in education and/or psychology, with at least 3 years of teaching experience in public schools.