

MEMORANDUM

TO: All Interested Parties
FROM: Jenny Sedlis, Executive Director, StudentsFirstNY
DATE: February 3rd, 2015
RE: Governor Cuomo's Plan to Improve Education for All New York Students

Overview

Governor Cuomo's Opportunity Agenda outlines proposals that would dramatically improve student achievement across the state, and particularly in low-income communities of color. The education system for those students is in crisis.

Numbers to know:

- **<1%:** Percentage of teachers in New York State rated ineffective.
- **18% and 19%:** Percentage of black students who read and do math at grade level, compared to 39 and 44 percent of white students.
- **14% and 18%:** Percentage of black and Latino students who graduate from high school ready to do college work, compared to 50 percent of white students.¹
- **250,000:** Number of students who have been enrolled in a failing school in the past ten years in New York state.²
- **93%:** Percentage of students in failing schools who are black or Latino.
- **38%:** The chance a black or Latino student has of attending a failing school, compared to 2.8 percent for a white student.³
- **4:** A student in a heavily black and Latino NYC school is 4 times more likely to have an "Unsatisfactory" rated teacher.⁴

In order to address the crisis, Governor Cuomo has laid out an ambitious agenda that will:

- Add over \$1 billion in new funding to our school budget.
- Ensure our students are taught by the highest quality teachers.
- Protect our most vulnerable students currently trapped in failing schools.

¹ NYSED, *Measuring Student Progress in Grades 3-8 Math and English Language Arts*, 2014
<http://www.p12.nysed.gov/irs/ela-math/2014/2014Grades3-8ELAMath-final8-13-14.pdf>

² Governor Andrew M. Cuomo, *Opportunity Agenda, 2015 State of the State*, 2015
[https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/2015 Opportunity Agenda Book.pdf](https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/2015%20Opportunity%20Agenda%20Book.pdf)

³ Families for Excellent Schools, *The Forgotten Fourth: Across New York City, one-fourth of all schools are failing 9 out of 10 children*, 2014 http://www.familiesforexcellentschools.org/wp-content/uploads/2014/10/TheForgottenFourth_V4.pdf

⁴ StudentsFirstNY, *Unsatisfactory: The Distribution of Teacher Quality in New York City*, 2013
<https://d3n8a8pro7vhmx.cloudfront.net/studentsfirstny/pages/468/attachments/original/1421098966/SFNY-Unsatisfactory-Report.pdf?1421098966>

- Give families the high quality school options they deserve.

Taken together, the combination of additional funding and reform has the potential to dramatically improve education in New York State, particularly for low-income students of color.

The Governor's Plan: \$1 Billion in New Funding, Reforms to Make Our Schools Great

Better teachers for our kids

Research shows that nothing has a more positive impact on a student's future success than a high-quality teacher. Shamefully, black and Latino students have been saddled with ineffective instructors, setting them back in their academic careers, decreasing future earning potential, and increasing the likelihood of detrimental social conditions.⁵

1. Better evaluations for our teachers, fewer tests for our kids

Eliminating the local measure of student growth, which has proven to be unreliable and incomparable across districts, would reduce the number of standardized tests students are required to take. Setting scoring bands at the state level would help prevent districts from undermining the integrity of the teacher evaluation process by watering down standards.

2. No automatic job for life without performance

Governor Cuomo's proposal to require that a teacher receive five consecutive annual ratings of "Effective" or "Highly Effective" before tenure is granted significantly raises the bar for tenure eligibility and for the teaching profession at large. Research shows that five years of performance represent a close reflection of teachers' long-term performance.

3. Get the best and brightest into schools of education and prepare them for the classroom

While education superpowers like Finland and Singapore recruit top candidates to its education schools, the U.S. consistently recruits teachers from the bottom of the applicant pool. Requiring that graduate teacher preparation programs put in place higher admissions standards and closing the weakest teacher education programs will improve the quality of instruction we deliver to kids across the board.

Help Students Trapped in Failing Schools

With hundreds of thousands of black and Latino students trapped in failing schools, we cannot lose any time turning around our lowest performing schools.

1. No student should have an ineffective teacher two years in a row

No student should have a teacher unequipped to do the job and should absolutely never suffer with ineffective teachers for multiple years, as the harm done to the student can be irreparable. Governor Cuomo's proposal would prohibit the assignment of a student to ineffective teachers in consecutive school years.

2. If a school is failing for three years, intervene and turn it around

⁵ Raj Chetty et al, "The Long-Term Impacts of Teachers", 2011 <http://www.nber.org/papers/w17699.pdf>

Governor Cuomo is boldly standing up for students trapped in persistently failing schools, 93% of whom are students of color and 82% of whom are eligible for free or reduced price lunch. He has proposed legislation appointing receivers to oversee failing schools and districts, taking his cue from the Massachusetts model that has successfully spurred improvements in struggling schools.

3. A fairer, faster dismissal process

Removing grossly ineffective teachers from our schools is essential to getting our students the education they deserve. Currently the process for doing so is far too burdensome and expensive. The average proceeding for removing an incompetent teacher lasts 830 days and costs taxpayers \$313,000. Over a 10-year period (1997-2007), under largely the same process, just 12 of New York City's 75,000 teachers were dismissed for incompetence.

Give Parents Better School Choices

Affluent parents have a multitude of school options for their children. Low-income parents of color should have the same opportunities. A child's future should be as grand as her dreams, not as narrow as her zip code.

1. Raise the arbitrary cap on charter schools

With 50,000 students in New York City alone on waiting lists for a seat in a high quality charter school, raising the cap by 100 charter schools is a step in the right direction.

2. Fund all students the same

Charter schools only receive 67% of the per-pupil funding awarded to district schools. Recognizing the value of excellent charter schools for families and students in high - need districts, the Governor has recommended an increase in per-pupil charter funding. In addition, charters need the flexibility to give their students the best possible education without political burdens.

3. Help working parents paying tuition

Supporting private investments in educational programs will encourage contributions to public schools, nonprofits dedicated to the improvement of schools, local education funds, and organizations awarding educational scholarships. The education tax credit bill is supported by a coalition of community, labor, and religious groups.

Elementary & Secondary Education Budget Hearing

Testimony of Tenicka Boyd, Parent & Director of Organizing, StudentsFirstNY
Tuesday, February 3, 2015

Thank you Chairman Flanagan and Nolan for giving me an opportunity to speak today. My name is Tenicka Boyd and I am public school parent and the Director of Organizing for StudentsFirstNY.

StudentsFirstNY is New York's leading voice for students. As part of our community organizing efforts, we have talked to over 300,000 New Yorkers in predominately low-income communities and communities of color who are deeply concerned with the lack of quality schools and quality teachers available to their children.

I am here, not only as a New York City district school parent, but also as someone who talks to parents each and every day. And I not only support the Governor's Opportunity Agenda, I believe it is something that many parents, in the communities that we serve, strongly support.

I want to open up with the real story of education in New York.

Have you ever heard a 16 year old that reads at a 3rd grade reading level? I had a high school student who came to our office because he was terrified that he might not graduate and be able to read like "a senior." He, a young Black male, from a family who also graduated from this New York City high school, told me about low expectations, poor quality lessons, and countless stories of years of inadequate teaching. All he ever wanted he told me was to "read like the kids in Westchester."

And we talk to kids like this, in Brooklyn, each and every day.

There are, in New York City alone, over 143,000 students legally zoned to historically and persistently failing schools. We have schools in New York City where less than 13% of Black males are graduating and can read on grade level. In 43% of all New York City middle schools, 90% of the children are failing. 114 high schools in New York City are producing students who, if they do graduate, have to take years of remedial coursework because they are often times years behind. In districts like Brownsville, a historically Black community in Brooklyn, there is not a single district elementary school that has educated more than 20% of its kids to read at grade level.

That is criminal.

"New York spends more per pupil than any other state and double the national average, and yet we still fail to give students in Brownsville quality teachers who are supported and have the proper tools to succeed."

We've heard from Mike Mulgrew and Karen Magee – teacher union leaders who say the Governor has gone too far. It's the job of union leaders to protect their lowest performing
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members. I get it, but the teachers union is a special interest and cannot parade around like they are putting the interests of students first.

In a City with failing schools, in many of the communities that serve our students, it is outlandish to think the Governor is going too far. It is outlandish to think, when the outcomes for many of these children is prison or teen pregnancy that this is a war on teachers. This isn't a war on teachers. This is a fight for students. This is a fight for an education that can open the gateway to opportunity.

When students in high poverty communities are three times as likely to be taught by an unsatisfactory teacher than a student in a low poverty community, this is a fight for equity.

This is the real story that parents like me, parents like AU, and the parents I talk to each and every day have to face. Not the same tired story that we hear day in and day out from the teachers union that uses money and history of influence to have us believe that the students are too hungry, too tired, and too misbehaved to pay attention in class, to pass an exam, or to read or write at grade level.

Not only are we in a crisis, we have failed generations of students and their parents, with policies that have sought to provide more comfort for the adults than quality education for the students.

What we know is that a quality teacher is the biggest in-school predictor of a child's success. More important than the amount of money we spend and more important than the number of kids in a classroom. We know that students who are consistently assigned to high quality teachers have a higher chance of going to college, and earn a higher salary.

Yet we have schools with the highest number of minority children, with the highest rates of poverty, and with the lowest college readiness rates, with the most undesirable teachers.

The governor's plan will fix that. Governor Cuomo's plan wants to ensure that our highest need students get the very best teachers. He wants to ensure that no student, in any part of this state, is taught by two unsatisfactory teachers in a row. The governor is seeking to incentivize our already great teachers to ensure they stay in the system longer and in communities that need them the most.

For far too long we have all succumbed to this notion that more money will save us. When the truth is, more money has not led to better results. We need to hold the adults in this system accountable for the failure to educate our students.

I strongly encourage you to take this testimony into account when you are making decisions on the education of our students. I hope as an elected body, with the desire to stand up for what's right, you really put students first by supporting wholeheartedly the Governor's plan.

Thank you.

Elementary & Secondary Education Budget Hearing
Testimony of Au Hogan, Parent Advocate StudentsFirstNY
Tuesday, February 3rd, 2015

Good morning, Assemblymen, Assemblywomen, Senators, my name is Au Hogan and it is a pleasure being here this morning. That pleasure however is greeted with the sad reality of a concern I have for the continued failing practices allowed in our inner city schools. I am a district public school parent and grandparent from Jamaica, Queens. My children, grandchildren and I all went through the New York City public school system.

I joined StudentsFirstNY as a parent member and I am here today because I want, I demand change!

Our education system needs real change ... fundamental reform ... the kind of reform that Governor Cuomo outlined last month in his State of the State presentation. I support the Governor's plan because he understands that the same old status quo is failing too many kids.

There is an ongoing crisis in public education, and it is not just here in New York State.

America's public education system once touted as the best in the world, has fallen far behind systems that at one time modeled their own systems after ours. And if we don't act, now, that fall will continue, and future generations of school children will suffer. The classroom, once a place of great hope and promise, has become a place of gloom, fear and an unspeakable despair.

You might not understand that or understand the immediacy of this crisis if you've never been to communities that are similar to mine. From Jamaica, to Bed-Stuy, from the South Bronx to Crown Heights, to inner-city Rochester and Buffalo – in our neighborhoods, parents look to public education as a lifeline for our kids.

Lifelines that we rely on to help prepare them for the future and for greater opportunity. But for too many kids, the path to opportunity is blocked; blocked by an education system in desperate need of fundamental reform to turn things around.

My grandson Dre is an example of a child who is being failed by our broken education system. Every year, the possibility of him achieving a successful future seems more and more impossible.

Dre's a good kid with a loving family that values learning. He's not an outlier. He's your regular, mainstream kid who this system should have no problem educating.

Dre wakes up each morning and goes to his district public school and day after day he gets 100s on his classroom work. But when it comes time to take the tests – you know, the ones that really tell you whether a kid is ready for the next grade – he gets zeroes. He is not being prepared for the future he deserves.

I understand that teaching is a hard job. However, educators are entrusted with the responsibility of guiding entire generations of kids, and these kids are owed the chance to learn from effective teachers, and a system that works *for* them, not *against* them.

If we don't hold the system up to higher standards by continually improving upon our schools and the teaching profession, we will continue to fail kids all across New York, and all across this great country.

I am here today to represent the many parents and grandparents like myself who believe that taking the necessary steps to reform our education system must happen now.

Governor Cuomo is right – “education is the great equalizer”. But as I mentioned previously, if we continue to follow the same failed policies of the past, we will continue to fail our children. Our children deserve better. My grandson deserves better.

I am proud to stand in support of the Governor because he is fighting for kids across the state, kids just like my grandson. Every child should have access to a school where they have a real opportunity to reach their full potential.

Thank You.



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Derrell Bradford
Executive Director

2/3/15

Distinguished Members of the Senate and Assembly Education Committees:

My name is Derrell Bradford and I am the executive director of NYCAN: The New York Campaign for Achievement Now, a non profit group advocating for great teachers for kids and broader educational opportunities for families in the Empire State. Today I am here in support of the education platform articulated in Governor Cuomo's Opportunity Agenda. More specifically, NYCAN supports the Governor's proposed changes to make sure every child gets a great teacher while ensuring that the state's evaluation system is fair and rigorous, his desire to raise the cap on charter schools, and lastly his proposal to allow corporations to contribute to nonprofits that will grant scholarships to children across the state.

NYCAN supports these initiatives first and foremost because our children are the most important asset we have as a society; our shared future exists in each and every one of them and we should be doing everything possible to ensure that all children—including the 250,000 who have languished, as the Governor notes, in chronically underperforming schools for over a decade—receive an education that makes them both productive citizens and, ultimately, truly free in our society. NYCAN believes now is precisely the right time to make this dream a reality.

I. Teacher Quality, Evaluation, and Assignment

Overhauling the way we recruit, reward, and retain great teachers—and if necessary remove those for whom teaching is not the right fit—are at the center of both the Governor's proposals and a national discussion about how we ensure every child who attends a public school has an excellent teacher. A teacher is the most important in-school factor in a child's education and a highly effective teacher—one who can spur growth of more than one year over the course of a school year—is priceless, particularly when we focus on closing the achievement gap. But our current system is not set up to identify, compensate, and support those who are capable of this feat, nor expedite the fair removal of those who are not meeting reasonable student learning expectations. Consider the following:

- As former Teachers College head Arthur Levine notes, colleges of education have not aligned their offerings with the challenges of the day, generating thousands of

new teachers who are poorly prepared and who are poorly supported when they enter their classrooms.

- As the Center for American Progress and the Obama administration's Office for Civil Rights have found, schools with high concentrations of low-income and minority students disproportionately receive inexperienced teachers, which is problematic both for the teachers and the students they serve. They are also more likely to receive teachers without a specialty in the subject they teach.
- Objective measures of teachers' impact on student achievement—like value added growth measures—are reliable predictors of teacher quality. As Harvard's Raj Chetty and his colleagues John Friedman and Jonah Rockoff found in their seminal study "Measuring the Impacts of Teachers," which tracked 2.5 million children in a large urban school district from elementary and middle school to adulthood, a teacher's ability to increase student achievement on standardized assessments tracks improved life outcomes for those students in critical areas including higher rates of college attendance, higher salaries, and lower rates of teenage pregnancy.
- If a child has a highly effective teacher instead of simply an effective one, for four or five years consecutively, the increased learning would be enough to close the academic gap between the typical low-income, eligible for free or reduced-price lunch student and an average one not eligible for these programs.
- Though the process has improved thanks to the efforts of the Governor and this legislature in 2010 and 2012, it still takes 190 days in New York City and 177 days in the rest of the state to remove an ineffective teacher. This is a lifetime's worth of learning lost particularly for a child trying to close the achievement gap.

Great teaching and excellent teachers matter...tremendously so, and the Governor's agenda addresses the systemic inequities cited here in a forthright fashion that builds on recommendations from the Board of Regents and national trends in teacher evaluation, preparation, assignment and support.

- The Governor's clinical residency and training proposal expands on a pilot conducted by the Board of Regents with funds from President Obama's signature Race to the Top initiative. A white paper commissioned by the National Council for Accreditation of Teacher Education and a Blue-Ribbon panel it assembled (whose members included Arthur Levine and former head of the National Education Association Dennis van Roekel among others) strongly supports these deep residency training programs for teachers.
- The Teacher Excellence Fund mirrors elements that former UFT head, Randi Weingarten, supported in the breakthrough deal reached in nearby Newark, NJ, which offered bonuses for highly effective teachers who taught in challenging schools and in difficult-to-staff subject areas.

- The proposal to increase the percentage of objective data used to determine teacher effectiveness and eliminate the local growth measure (also supported by the Board of Regents) will provide greater differentiation among teacher evaluations while making the acquisition of a highly effective rating a reward for excellence in the classroom and driving student achievement.
- And changing the length of time to acquire tenure from the current three years to five years, with ratings of effective or better during that time, truly makes tenure a reward for professional excellence in the classroom, not just time served. And it's what teachers want as well, with a 2012 survey of 10,000 teachers showing that, on average, teachers believed it was reasonable to work 5.4 years before being evaluated for tenure.

Some have argued recently that the state's obligation to our students is really only one of funding, not of quality. They've essentially offered that "we promise you a teacher, but we're not required to give you an excellent one." We disagree. You do not pursue a suite of reforms such as this because you believe teaching is unimportant; you do so because you know it is profoundly important. And as such we must raise the barrier to entry, increase the professionalism, pay, and status of those who are truly excellent at it, and respectfully remove those for whom teaching is not the right fit. This view is grounded in the reality that teachers are real human beings with an enormously important task in our society. Pretending that there is no differentiation among the teaching corps does a great disservice to our students and to our teachers as well.

II. Don't Cap Progress

Raising the charter cap and eliminating the regional restrictions on where charters can be located are excellent next steps for New York State, which has high charter demand and is nationally recognized for excellence in its charter school sector.

For context, it is important to understand exactly how many charter schools there are in New York State. Some would have us believe that charter schools are rapidly subsuming the universe of public education in New York. These people and organizations are entitled to their own spin but not their own facts. Of the 4,775 public schools in New York State, only 258 (5.4 percent) are public charter schools. If the cap is increased by 100 to 560, as the Governor has proposed, and every school were opened this fall, charter schools would still only constitute 11.5 percent of the state's public schools. Far from a revolution, this is a modest increase in the state's capacity to create new school options for its students.

And the demand for these schools is there. According to the New York City Charter School Center, there are nearly 50,000 students on charter school waiting lists in New York City alone.

And charter schools are getting the job done for our neediest students. As the Center for Research on Education Outcomes (CREDO) has shown, charter schools statewide are offering the equivalent of 79 days of extra learning in math, and 36 extra days in reading for students who are overwhelmingly low-income and minority. And as economist Caroline Hoxby found, these gains can't be explained away by selection bias or parental motivation. They are, instead, created and sustained by the schools themselves.

Chartering is a powerful tool for leveling the academic playing field for the overwhelmingly minority and low-income universe of children who attend them. But the chartering power also presents an opportunity for New York, and many other states, to find new ways to light the path forward for our children. Right now, there are children who are excelling in schools that did not exist just five years ago. Chartering has created excellence, opportunity, and an excellent education in places where these things were previously scarce and, in some instances, non-existent. For the sake of the 250,000 children in chronically underperforming schools, or the 143,000 children in New York City who attend schools where 90 percent or more of students failed the most recent round of state assessments, don't cap progress. I urge you to support raising the state's charter school cap and eliminating the regional restriction on charters as well.

III. Invest in Education

"Now" is one of the most powerful words in any language, and with good reason. Immediacy—the ability to not wait—has an impact that can never be underestimated.

The Governor's Education Tax Credit proposal, which will allow taxpayers to claim a tax credit for eligible contributions to public schools, school improvement organizations, local education funds and educational scholarship organizations, brings the power of "now" to families looking for more choices and better options for the education of their children, and creates an opportunity for school districts to raise additional funds for new programming and staff, especially in those areas vulnerable to budget cuts like art, music, tutoring and sports.

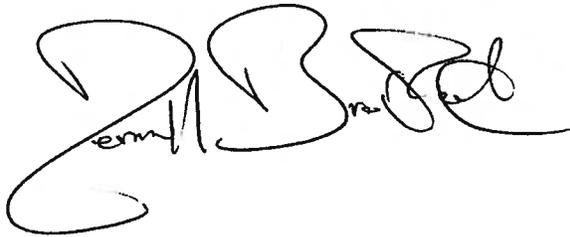
Right now there is a child attending a school that does not work for him or her somewhere in this state. And in many cases there is an independent or parochial school right down the street, or around the corner, that would offer that same child an excellent education and a chance at a prosperous and free future. But for many working class and low-income families, tuition is the high a barrier between their child and an excellent education. At the same time, there are bright and talented people in our traditional district schools who are ready to drive innovation therein. The Governor's tax credit proposal—which has already been passed as a stand-alone piece of legislation by the state senate, makes both of these instances a priority.

State governments across the country use business tax credits for many things, from real estate development to filmmaking. The Governor's tax credit proposal allows us to use this same tool to empower families and protect programs in our education system. As I stated earlier, there are myriad things we give the business community tax credits for. What could be a better use of this tool than to invest in the immediacy of educational

opportunities for our students, while creating a lever for those who are trying to support great programs for our district systems? With this proposal, all of our children win.

Members of the committee, I urge you to enact all of these proposals during the current budget cycle. Change never comes easily and there is never a perfect time to do anything; but there are times that are better than others to do what is right for our children and our teachers and to expand our capacity to ensure that every child in the Empire State receives a quality education. If there is any doubt in your minds I want to assure you: the time to do these things is indeed right now.

Thank you.

A handwritten signature in black ink, appearing to read "Derrell Bradford". The signature is stylized and cursive, with the first name "Derrell" written in a larger, more prominent script than the last name "Bradford".

Derrell Bradford
Executive Director
NYCAN: The New York Campaign for Achievement Now