



## ***The Regents Reform Agenda: Assessing Our Progress***

**Senate Committee on Education  
November 13, 2013  
Albany**

The Regents Reform Agenda addresses many key priorities for improving learning opportunities for all schoolchildren. But some of the initiatives prescribed to advance that overarching goal are flawed and some have been undermined by rushed and problematic implementation.

Now school leaders and state policymakers are confronted with an unprecedented level of questioning and criticism of state policies governing instruction and assessment. Yet among educators, at least, there is little disagreement over the goal driving the reform agenda: that all students should complete high school prepared to succeed in college or a career.

The New York Council of School Superintendents is grateful to the Senate Education Committee for convening this opportunity to discuss actions we can all take to advance our shared goals of improving opportunities and outcomes for all students.

### **I. Discontent over state education policy**

To begin, it is worth asking why discontent over state education policies has reached the level it has, and why now.

The most frequently cited complaints are that there is too much testing and too much emphasis on testing. But why now? Annual testing of every student, every year in grades 3 through 8 has been a fact of life in New York schools since 2005-06, as required by the federal No Child Left Behind Act. At the high school level, New York students have faced Regents Exams since just after the Civil War.

We see three principle reasons for the present discontent over state education policy.

- First, in the past year, schools were challenged to implement two huge state mandated initiatives at once: to prepare third through eighth graders for state assessments aligned for the first time with the Common Core Learning Standards; and to develop and negotiate plans for teacher and principal evaluations, gain State Education Department approval for those plans, and finally conduct the evaluations.
- Second, implementation of both these major initiatives was rushed and inadequately supported.
- Third, new teacher and principal evaluation requirements pushed schools to expand student testing.

**NEW YORK STATE COUNCIL OF SCHOOL SUPERINTENDENTS**

## Common Core implementation

New York and Kentucky raced to implement grade 3 through 8 state assessments aligned with the Common Core Standards; other states are waiting until this year or even next.

A typical view was expressed to us by one Capital Region superintendent:

I think the Common Core Standards over time will improve the quality of education in my district and across the state. However, the implementation has been rushed and inadequately supported. Resources have not been made available in a timely manner and the funding to purchase these new resources is inadequate.

It is true that curriculum development has been a local responsibility. However, the State Education Department acknowledged that the Common Core is more than just a fine-tuning of expectations for schools and students:

The Common Core demands significant shifts ... in the way we teach. Each teacher must adopt these shifts so that students remain on track toward success in college and careers. These shifts in instruction will require that many teachers learn new skills and reflect upon and evolve in their classroom practices.<sup>1</sup>

Also, the Department created expectations that it would provide resources to support successful implementation of the new standards. When the Regents adopted the standards in January 2011, then Commissioner David Steiner said, “With the New York Common Core Standards in place we can now begin to build the sequenced, content-rich statewide curriculum and embedded assessments our children rightly deserve.”<sup>2</sup>

Yet at the start of the last school year, not a single state curriculum module had been released. So schools scrambled to assemble and develop their own tools at a time when resources were already stretched thin. As one superintendent wrote to us, “They weren’t ready; consequently neither were we.”

In a survey we conducted this summer, large majorities of superintendents reported their districts lacked resources needed to enable students to meet Common Core expectations. For example, only 18 percent of superintendents felt their districts have sufficient resources to provide extra help for at-risk students. Fewer than one-third of superintendents felt their districts have sufficient resources in any category.

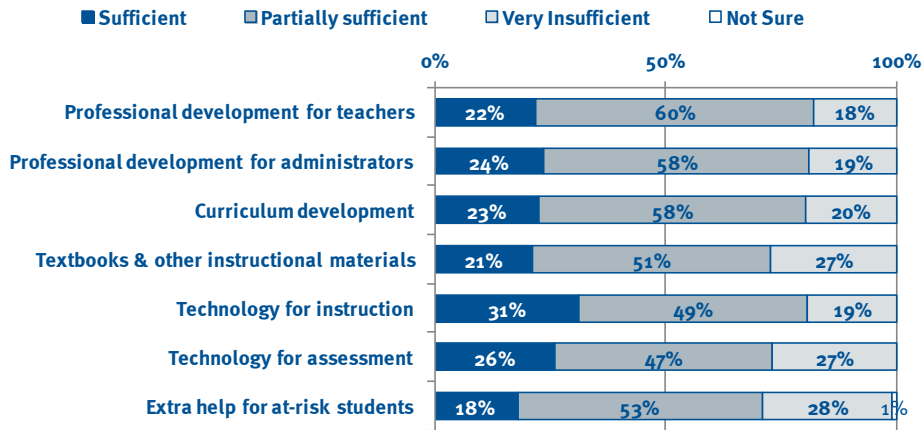
So when the first Common Core aligned grade 3 through 8 assessments were administered last spring, it was widely being asserted that students would be unfairly tested on material their schools had been handicapped in teaching. But then concerns also erupted about the tests themselves. There were extensive reports that high achieving students struggled to finish on time, students with disabilities simply gave up, and some children became physically distressed, inciting anger among parents.

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<sup>1</sup> New York State Education Department. *Field Memo: Transition to Common Core Assessments*. March 2013

<sup>2</sup> New York State Education Department. *News Release: Board of Regents Approve New York State P-12 Common Core Learning Standards*. January 11, 2011.

**Superintendent Survey: To what extent does your district have sufficient resources to enable students to meet the Common Core Standards?**



**SOURCE:** Council Survey of Superintendents, July-August 2013.

Release of the first-year state test results in August ignited a fresh burst of concerns. Consistent with Kentucky’s experience, percentages of students deemed meeting standards plunged. But in at least some cases, the results are contradicted by other known facts on student performance, such as the success of students in completing Advanced Placement or International Baccalaureate classes, and gaining acceptance to selective institutions of high learning.

**Annual Professional Performance Reviews – teacher and principal evaluations**

None of the foregoing explains the prevalent sense that the volume of testing students are subjected to has grown, however. New York actually does have fewer state-developed standardized tests now than in 2010. Nor does it fully explain the perception that there is more emphasis on testing.

What else has changed? APPR – the changes to Annual Professional Performance Reviews for teachers and principals, enacted in 2010 and amended in 2012.

The APPR law requires that performance on state tests comprise 20 percent of the total evaluation score, or a comparable measure for educators not covered by state tests. Another 20 percent of the score must be based on locally developed and negotiated measures of student performance. The final 60 percent of the score draws on “other” measures, with at least half this component to be based on observations of educator practice.

*Most of the additional testing students have experienced over the past year or so is due to the new educator evaluation requirements.*

Some schools added new tests to satisfy the requirement for a local student achievement measure, or a comparable measure for educators not covered by state tests, or both. Some models involve giving students a “pre-test” in the fall and a “post-test” toward the end of the school year to measure their growth in learning. In some cases, the new assessments were locally developed, in others they were bought from vendors.

One reason why some districts turned to buying additional standardized tests was a belief that measures developed by outside experts might stand up better if an evaluation is appealed.

SED officials have characterized district decisions to add tests as local choices. But they were choices impelled by state mandates.

As with the Common Core, there have been criticisms of the state's approach to implementing APPR. Given the scale of change and the inherent sensitivity of personnel evaluation, it would have been advisable to make the first round of evaluations under the new requirements a pilot-year, with no consequences for educators.

### **General implementation frustrations**

Superintendents repeatedly requested a roadmap or timetable of planned state policy actions, so that they could be spared from perpetual surprises and instead anticipate and plan for impending requirements. Seeing the whole sequence of planned steps might also have lessened fear of change among people in the schools. It would have also enabled leaders in the field to evaluate the whole structure and better advise the Education Department what could work, what would not, and what order of implementation would make the most sense.

A large part of the frustration among educators today arises because we foresaw the difficulties that have emerged, but our warnings were not credited. Superintendents have also complained that the time and energy they have spent explaining practices mandated by the state diverted attention from the more important community conversations about why change is needed. This has undermined ability to explain the merits of the Common Core.

The Common Core Learning Standards comprise the foundation for the whole state reform agenda: they define what schools are expected to teach and what students are to learn. But even before that foundation had set, the state started erecting the upper floors of its reform structure, adding on new educator evaluation requirements and student assessments tied to the new standards.

## **II. Acknowledging some progress**

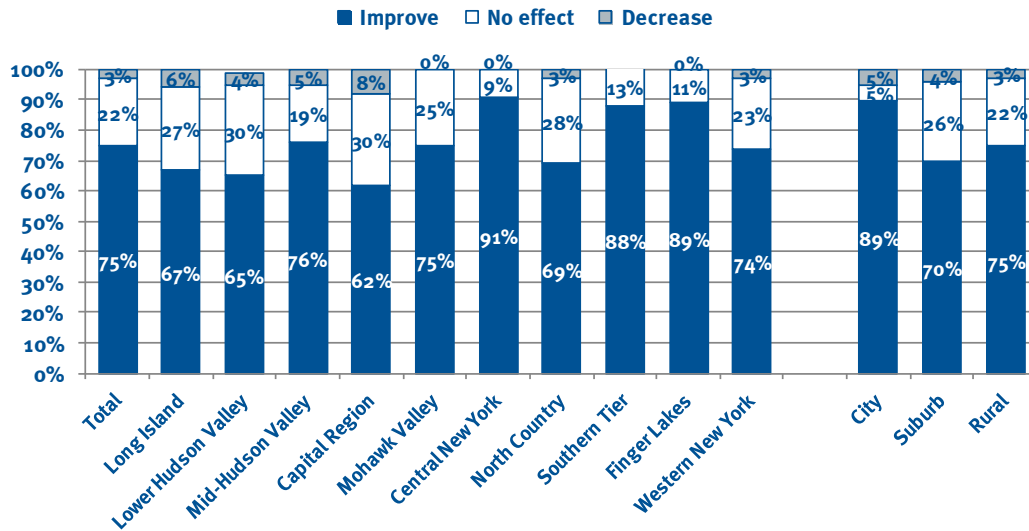
To recite only criticisms of state policies and practices is neither constructive nor fair. It invites the supposition that students would be best served by abandoning all reforms and returning to past practices. We do not believe that would be the best course.

Despite implementation challenges, surveys of educators have routinely shown high levels of support for the Common Core and our members do report some positive effects from new APPR practices.

### **Support for the Common Core Standards**

Over the summer, we asked superintendents, "How will the Common Core Learning Standards affect the quality of education in your district's schools?" Statewide, 75 percent of superintendents answered that the new standards will raise education quality; 22 percent said they will have no effect, and only 3 percent predicted a decrease in quality.

**Superintendent Perceptions: How will the Common Core Standards affect the quality of education in your district's schools?**



**SOURCE:** Council Survey of Superintendents, July-August 2013.

Nationwide surveys of teachers have yielded similar results:

- An American Federation of Teachers survey found 75 percent of teachers approved of the Common Core, 22 percent disapproved.<sup>3</sup>
- The National Education Association survey reported 76 percent of teachers said they support the Common Core Standards, either wholeheartedly or with some reservations.<sup>4</sup>
- In a survey of 20,000 teachers for Scholastic Inc., 77 percent of teachers said they believe the Common Core Standards will have a positive impact on students' ability to think critically and use reasoning skills.<sup>5</sup>

We asked superintendents why parents should want the Common Core Learning Standards for their children's schools. Here are some of the things they said:

- If they [students] master them, they can be assured that they are achieving at levels which will help them throughout life. The skills involved are critical for their future.
- The Common Core Standards are about preparing students for their future, not our past.
- Simply put, the previous standards focused on performance indicators of what a student would learn. The CCLS focus on how learning will be applied.

<sup>3</sup> Hart Research Associates. *Teachers Assess Implementation of the Common Core: Survey Among K-12 Teachers Conducted for the American Federation of Teachers*. May 2013.

<sup>4</sup> National Education Association. *NEA Poll: Majority of Educators Support the Common Core State Standards*. September 12, 2013.

<sup>5</sup> Scholastic. *20,000 Teachers Share Their Views on the Common Core State Standards in Advance Findings from Primary Sources*. October 4, 2013.

- The Common Core addresses some very real weaknesses of previous state standards. In ELA, the focus on the use of informational text is critical. We have recognized that one goal has shifted -- from imparting facts to interpreting information. The focus on this new skill will serve students well. In math, the move to a “less is more” set of standards is long since overdue.
- As a former math teacher, I am excited to see operational standards for developing mathematical thinkers, rather than processors. The ELA standards define the parameters for instruction that guides thinking, evaluating, and communicating with a variety of texts. They remove ELA from a stand-alone curriculum into a tool for every other discipline.

The Common Core Standards are not perfect. Educators raise concerns about whether the standards are developmentally appropriate at all grade levels. Some say it is simply too early to appraise their ultimate impact. Also, *it is essential to differentiate the standards from the tests used to measure students’ attainment of them and from the state curriculum modules offered to help schools teach them.* But the new standards themselves are promising.

### **APPR challenges and benefits**

There are deeper doubts about the other major reform initiative, APPR.

Last spring we asked our members to answer two questions about their experiences with the new teacher and principal evaluation requirements:

1. What was your biggest implementation challenge?
2. If you could share one positive aspect of your APPR experience with SED leadership, what would it be?

Negative comments were more extensive than the positive and emphasized the role of time – again that implementation had been rushed, but even more that the intricacy of the requirements created excessive time demands, especially for principals.

But clear patterns emerged among the positive responses as well. For example, one downstate suburban superintendent said,

This initiative has enabled teachers and administrators the opportunity to have meaningful discussions on improving the observation and evaluation process. Teachers and administrators now have a common language and clear, objective methodology for conversing about and improving teaching and learning.

An upstate rural superintendent added,

The dialog with the teachers and principals is definitely on a different level – it is far more focused on student achievement and sound instructional practice. Since this is a regulation, there is no “opt out” so the conversations are ramping up both in conjunction with individual evaluation and at the building faculty level.

There is skepticism about the validity and reliability of the of the state growth measure and about some of the models that have been used to satisfy the locally assessed student performance measure.

But the new requirements have led to some improvements in how districts carry out the traditional primary method of evaluation – classroom observations. An upstate small city superintendent observed, “The real learning [for educators] comes from the deep conversation that occurs between the lead evaluator and teacher; the testing component is a distraction.”

### III. What should be done?

What can be done to address the anger over state education policy and advance our goal of ensuring all students leave school prepared to succeed in college, a career, or both? We will answer by recommending steps that could be taken by school districts and our organization, by the Regents and State Education Department, and by elected officials at both the state and national levels.

First, however, it is fair to ask how much of the current discontent is transitional and will go away as schools adapt to new practices?

It is true that this year and future years should be easier than the last because schools are not grappling with getting two huge state-mandated initiatives off the ground at once – APPR and the Common Core. But our members are mostly skeptical that tensions will dissipate with time.

Some superintendents say stress will never go away for children with disabilities forced to sit through inappropriate tests or that 3<sup>rd</sup> graders can never get used to day after day of tests that are just too long for them. Some doubt that stress among educators will diminish as long as APPR is in place, results are released, and teachers face potential embarrassment and employment consequences.

Also, while educators may adapt, it’s quite apparent that stress has escalated among parents since a year ago. Again, some of this might have been avoided by a more reasonably paced implementation. Again too, complying with exhaustive procedural mandates diverted local leaders from engaging with families and staff to build understanding of “the why” behind the reform initiatives.

Districts and superintendents can take some actions to reduce the volume of testing students are subjected to and the emphasis placed on testing. As explained below some districts have found ways to reduce testing to satisfy APPR mandates. The Council and the State Education Department can assist in promoting those strategies.

Also, some superintendents have stressed their role as leaders in ensuring a sensible perspective on testing and test results and in combating the misuse of data. One downstate superintendent wrote,

We need to live the message that we are going to continue to move ahead, use testing as *one* method to determine progress and rigor, and support our students and teachers during the process. We need to make a public commitment to not tolerate a “gotcha culture” and then accomplish through word and actions.

## A. Recommendations for the State Education Department

Our principle recommendation to the State Education Department is simple: pause, engage, reflect and adjust.

***Specifically we recommend the Department defer any further new requirements or initiatives for two years, to give schools a chance to effectively implement the Common Core and APPR.***

Among the initiatives we recommend deferring are adoption of a value-added model in APPR, PARCC<sup>6</sup> assessments or other computer-based testing, and passing scores for Regents Examination tied to Common Core expectations.

- ***Value-added model:*** Replacement of the current state-developed student growth score with the somewhat more complex value-added measure in teacher and principal evaluations should be deferred. There should be further analysis of how the growth score works in practice, including, for example, the degree to which it produces similar results for individual teachers from one year to the next.
- ***PARCC and computer-based testing:*** Any actions we take to address testing concerns now should not obstruct us from building a far better testing system for the future. Computer-based testing offers the promise of better assessments, more refined diagnostic data, and eventually lower recurring costs. Accordingly, movement to computer-based testing should not be seen as a “yes or no” question, but one of “when and how.”

Districts cannot absorb the necessary costs now, and the State Education Department has never revealed a plan identifying the required technology resources, current levels of capacity, and actions to close the gap between the two. The Council has begun conferring with BOCES Regional Information Center directors on how to construct such a plan. Apart from funding issues, successful implementation of computer-based assessment will also require extensive planning to avert a debacle. Schools should not be expected to implement computer-based testing for all grades in a single year, for example.

- ***Regents Examination Passing Scores:*** As noted, this year for the first-time, grades 3 through 8 state assessments were aligned with the Common Core Learning Standards and the percentages of students deemed proficient dropped by 24 percentage points in English language arts, and 31 points in math. We concur with the goal that a high school diploma should signal college and career readiness. But a similar plunge in passing rates for Regents Examinations would derail support for the entire reform effort.

At the last Board of Regents meeting, a proposal was outlined to set two “cut scores” for Regents Exams – one which would indicate passing for graduation purposes and a second, higher score which would indicate a student is meeting grade-level expectations for the Common Core. Over time, the passing score might be raised until it eventually matches that signifying Common Core

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<sup>6</sup> PARCC is the Partnership for Assessment of Readiness for College and Careers, a 19-state consortium of which New York is a member working to develop assessments from grade 3 through high school that will identify whether students are on track for success in postsecondary education or the workplace.



attainment. This may be the best available option for phasing in the alignment of Regents Exams with the Common Core.

***The Education Department needs to engage in meaningful dialog with stakeholders in the field about the status of the Regents Reform Agenda and the steps ahead.***

Although Education Department leaders have held many meetings with various stakeholders, the perception is widespread that the concerns and recommendations we offered have often been dismissed. As one of our leaders wrote, “Superintendents know effective implementation requires:

- a solid research base (or at least a compelling common sense rationale);
- front end buy-in by key stakeholders and opinion leaders created by lots of listening, conversations, and modifications driven by those conversations;
- substantial front end professional development at the local level, delivered by actual practitioners, with on-going embedded support;
- a patient, iterative process in which initiatives are tried out, evaluated, reviewed with those doing the implementation, modified, and tried out again (repeat as needed, quite possibly forever);
- the regular use of exemplars from our own schools that are selected by expert teachers and administrators (so they aren’t subject to being characterized as “mediocre” or “elementary” as has been the case with some of the items currently cited as exemplars by the Department).

*Following these consultations, the Department should develop and provide a roadmap of planned implementation activities, as superintendents have long requested.*

***The Education Department is pursuing some potentially helpful actions; others are needed.***

In an October 24 letter to educators, Commissioner King outlined a series of adjustments to state testing practices the Education Department is considering or pursuing in waiver requests to federal authorities. These include eliminating double (or even triple) state testing of 8<sup>th</sup> grade students in math and allowing more sensible assessment options for English language learners and students with disabilities. We commend these efforts.

We also recommend other adjustments in state testing practices:

- ***Disclosure of test questions:*** Our members urge the State Education Department to disclose all questions on state assessments and related results. This would allow educators to identify their own instructional successes and shortcomings and to determine how well their curricula are aligned with state expectations. Disclosing all test questions would mean questions could not be re-used and consequently more field-testing of new questions would be required. However, at least during a transitional period, disclosing all test questions would support schools in making the transition to the Common Core.
- ***Shorten state assessments in early grades:*** Educators and policymakers have multiple goals for testing, for example, to provide data for determining student performance against standards, to hold schools and educators accountable, and to diagnose specific student learning

strengths and weaknesses. The more we attempt to satisfy these multiple purposes, the longer we must make our tests. Nonetheless, as one upstate rural superintendent observed to us, “I believe if the tests for our youngest students were shorter, everyone would be more accepting of testing.”

- ***Help districts reduce student testing for APPR purposes:*** Finally, as we have stressed, to the extent students are facing more tests, it is chiefly due to district efforts to satisfy APPR requirements. The State Education Department can help schools reduce this testing by identifying and disseminating effective practices other districts have employed, such as using building-wide growth targets on state tests or historical student performance data instead of subjecting students to pre- and post-test models. The Department has already begun such efforts and the Council is undertaking them as well.

## **B. Recommendations for Legislative Action**

***The Council of School Superintendents strongly supports the Education Conference Board’s five-point plan to put the Common Core on track for successful implementation.***

The Council is one of the seven groups comprising the Educational Conference Board, along with representatives of parents, teachers, principals, business officials, and school board members associated with every public school in our state. Some elements of the ECB five-point plan<sup>7</sup> require action by the State Education Department or by ECB members, including for example, building understanding of the Common Core’s value. But at least two require legislative attention.

- ***Invest in adequate professional development to implement the Common Core:*** As one upstate superintendent wrote,

Teaching to the Common Core Learning Standards requires a substantially new tool box for teachers. A change of this magnitude takes time and persistence in training and support before it takes hold in the daily practice of teachers.

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<sup>7</sup> The five points in the ECB Common Core agenda are:

1. Institute a statewide campaign to build understanding and support for the importance and value of the Common Core Learning Standards.
2. Invest in ongoing professional development to implement the Common Core.
3. Ensure adequate state and federal funding to give all classroom teachers the tools, instructional materials, and technology they need to help all students meet the standards, including extra help for students most at risk of falling short of the standards.
4. Reassess the state’s approach to student testing and address the most pressing concerns that parents and educators have expressed about testing.
5. Establish an ongoing process for engaging key stakeholders in reviewing and refining implementation of the Common Core.

To this point, much professional development has been funded from the state's Race to the Top grant – but that funding is due to expire. At the local level, Council surveys have shown that professional development is a frequent target for budget cuts – in 2012, over 40 percent of superintendents reported their districts reduced funding for professional development for both teachers and administrators.<sup>8</sup>

State support for professional development is crucial and it *cannot* be provided on a competitive grant basis – the smallest and poorest districts often have the greatest need for support yet the least capacity to compete for it.

- ***Ensure adequate state and federal funding to give all classroom teachers the tools, instructional materials, and technology they need to help all students meet the standards, including extra help for students most at risk of falling short of the standards.***

As a Council survey cited above explained, few superintendents are confident their districts possess sufficient resources to enable students to meet Common Core expectations. In the North Country for example, only 8 percent of superintendents believe their districts have sufficient textbooks and other instructional materials aligned with the Common Core.

Across all districts, the capacity to provide extra help for students at-risk of not meeting standards has been a worry even before this year's Common Core-based assessments. In Council surveys over several years, superintendents repeatedly cite expanding extra help as their top priority if new funding became available beyond that required to satisfy mandates and preserve current services.<sup>9</sup>

### ***The Governor and Legislature need to provide adequate funding for State Education Department assessment operations.***

It is hard to advocate for funding of an unpopular function, but one reason why current state assessment practices are so disparaged arises from how they are funded. For example, most states administer 20 or more versions of each standardized test; this enables them to embed more field-test questions in actual tests. New York administers only four versions of each test, and this requires us to conduct stand alone field-testing. Also, as we note above, disclosing all test questions would require even more stand alone field-testing. A study by the Brookings Institution found that New York spends the least per pupil on testing of any state government – chiefly because here, scoring costs are borne by school districts.<sup>10</sup>

As we explain above, eventually implementing computer-based testing will provide a much better assessment system. But careful planning and adequate state funding will be essential to successful implementation.

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<sup>8</sup> New York State Council of School Superintendents. *Can't Get There From Here: A Survey on School Fiscal Matters*. November 2013. See p. 17.

<sup>9</sup> *Ibid.*, p.33.

<sup>10</sup> Brookings Institution, Brown Center on Education Policy. *Strength in Numbers: State Spending on K-12 Assessment Systems*. November 2012.

***Additional legislative action may be justified following the comprehensive review we recommend.***

Above we recommend the State Education Department engage with stakeholders to conduct a thorough review of the status of Regents reform initiatives. Pending that review, further legislative action may be justified.

***At the federal level, reconsider the requirement for testing every student, every year in English language arts and mathematics in grades 3 through 8.***

We have no expectation this recommendation will be adopted – both the U.S. House and Senate would extend this mandate in their proposals to reauthorize the Elementary and Secondary Education Act. But other nations whose educational performance we aspire to match do not subject so many students to so much testing every year. Nor do the current annual tests provide much useful data to improve instruction. Universal testing only once at each school level, combined with other measures, would be sufficient for school and district accountability.

Not spending to produce and administer so many tests would also allow us to spend more to produce better tests. Writing in *Education Week*, Marc Tucker, Linda Darling-Hammond and John Jackson explained,

Americans are addicted to multiple-choice, computer-scored tests, mainly because they are cheap and easy to score. However, these tests drive a rote curriculum that will not produce the skills students need to get and keep good jobs in the 21st century—writing and speaking well, using advanced mathematics, analyzing complex problems, and finding and synthesizing information from many sources for creative problem-solving.

The countries that outperform the United States on international exams spend more than we do to measure and encourage these skills with essay tests and teacher-scored projects. And they can afford to do this because they test much less frequently than we do, typically only two or three times during a student's entire school career.<sup>11</sup>

## **IV. Conclusion**

We presume that virtually all professional educators embarked on their chosen careers in order to positively affect the lives of children. The primary reasons our members choose to become superintendents are to take on greater challenges and to have a greater affect on the lives of children. Put simply, people working in schools want to do better for the children they serve. We want state policies that can help us succeed and we will work hard to make sure such policies do succeed.

Superintendents play the pivotal role in translating policies enacted for the whole state into practices that can work in the particular communities they serve. They also lead schools and communities in understanding and implementing change.

We are grateful for this opportunity to present perspectives from superintendents across our state on the status of education reform and steps we can take to improve its prospects for success.

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<sup>11</sup> "Fewer, Better Tests Can Boost Student Achievement." *Education Week*. November 8, 2013.