

***Chairwoman Nolan and other members of the Assembly:***

Thank you for convening this public hearing on the new school receivership law.

This topic raises profound questions about balancing, on the one hand, New York’s strong commitment to local control exercised by democratically elected leaders and their appointees and, on the other, the state’s obligation to assure the promise of its constitution of a sound basic education for all its children.

Whenever the state enacts a new policy initiative, our members – superintendents – play the pivotal role in translating a policy intended to apply to every district into practices that can make sense for the particular districts they serve.

Superintendents will play an especially large role in executing the new receivership law, as they are authorized to exercise the powers of a receiver during an initial period.

Shortly, we will submit additional testimony outlining the experiences of our members in carrying out their responsibilities under the new law.

Today, however, I would like to speak more broadly about the problems these schools and their districts face.

Speaking to audiences of disadvantaged young people, the Rev. Jesse Jackson used to say, “You are not responsible for being down, but you are responsible for getting up.”

Something similar might be said of public schools – we are not responsible for all the obstacles placed in the paths of too many children, but we are responsible for helping every one of those children to overcome those obstacles.

Every one of the schools designated as “persistently struggling” or “struggling” is housed within a district that qualifies as high poverty – over 60 percent of students eligible for the federal free or reduced price lunch program. All but one of the districts is among the 10 percent poorest in student poverty. Most are also among the poorest districts in local capacity to support education. Typically, the districts have the greatest student needs and the most limited local capacity to meet those needs.

Failures attributed to schools are often the outgrowth of our broader failures as a state and nation to wage more extensive and effective efforts to assist families struggling against poverty.

We are coming to know more and more about the effects of poverty on learning, including the fact that children from the poorest backgrounds are exposed to an estimated 30 million fewer words than children from the wealthiest backgrounds by the time they are three years-old – before they ever reach school.

So we support efforts to expand access to quality prekindergarten opportunities, and to first target that access to the poorest communities and poorest children.

We support, as well, efforts to aid families in supporting their children’s literacy development even before age three.

We regularly survey our members about the problems their schools are facing and the impact of state policies.

Superintendents serving high poverty districts – districts with more than 60 percent of their students eligible for free or reduced price lunches – are twice as likely to say that capacity to provide extra academic help for struggling students is a significant problem, as their peers in other districts (47 percent to 24 percent).

Every year, for five straight years, providing more extra academic help has ranked as the top priority for new funding among *all* superintendents.

The Executive Director of our national affiliate once made the simple statement that, “Children who fall behind need time to catch up.”

We welcome the flexibility the new law may provide to create more time. But usually the old adage is true – “time is money” – it costs more money to add more time.

The Foundation Aid formula enacted in 2007 to resolve the campaign for Fiscal Equity lawsuit was not perfect but it was promising. It generally targeted the greatest aid per pupil to the districts with greatest needs, while also attempting assure all districts with more predictable state support going forward.

We look forward to the end of the Gap Elimination Adjustment in the next state budget and are grateful for your efforts to reach that goal.

Now it is time to focus once more on re-establishing a functioning Foundation Aid formula. The state is over \$4 billion behind in phasing in that formula. It was designed to support the opportunity for a sound basic education in all districts. The 17 receivership districts are under-funded by an average of 30 percent.

The best time to give students more learning time is at the beginning, before students ever start to fall behind. So again, we support expansion of preschool opportunities.

Several years ago we asked superintendents what they would like to hear the Governor say about education. Many ideas were shared, but the most commonly expressed theme went like this: “Schools cannot succeed on their own. They need help from families, and some families need help that schools have not customarily provided.”

In our survey, we found superintendents in high poverty districts were far more likely to cite parental support for education as a significant problem than their peers – 36% vs. 6%. Put another way, only 13% of the high poverty districts said parental support is not a problem at all, compared to 45% in the other districts.

Why? Why is parental support seen as more of a problem in high poverty districts? No doubt one reason is the diversion of energy and time created by all the demands these families face. So we strongly endorse the creation of Community Schools as hubs for family support services, both in receivership schools and in all schools serving high poverty communities.

Beyond the direct assistance these programs provide, they may also play a role in drawing families into their children's schools, creating a chance that they will become more engaged with the academic work of the schools.

Several weekends ago, the *Buffalo News* published a lengthy report on the problem of absenteeism in that city's public schools. No what matter a school does, none of it will make any difference if the students are not in the school. A core problem is that students are not engaged with learning.

The same question arises – why? Why aren't students engaged? Is it something about school? Is it something about their lives away from school?

On the non-school factors, again Community Schools are one avenue of assistance.

On the school factors, helping students achieve more success early can help keep them more engaged later, when they reach middle and high school.

But we must also provide better opportunities for students in these later grades. Again, in our survey we found that superintendents serving high poverty districts were roughly twice as likely as peers to cite as a significant problem the capacity to offer courses beyond minimum requirements (40 percent to 19 percent).

So we support increased aid for career and technical education, as well as more structured initiatives such as P-Tech and Early College High School that create more visible and purposeful connections between high school and what comes next for young people.

It is true that money is not the only problem, nor the entire solution. In our 2007 statement, "Education is a Civil Right" we addressed state intervention in chronically under-performing schools.

We said that with adequate resources, fairer performance measures, and better standards, applying tougher accountability becomes a logical next step: "When students fail, they are denied a diploma. There should be more consequences for grown-ups when schools fail."

We called for consequences for all adult stakeholders – administrators, school boards, teachers, and the community at large – to create an impetus for them all to pull together and make decisions that will finally give their schoolchildren the opportunities our state constitution promises.

At the same time, we have to recognize that no one can be required to be a superintendent, principal, teacher, or board member serving these schools. We cannot make association with these schools so risky and disgraced that no person with other options would choose to work for them.

Again, we will provide more testimony about the experiences of superintendents in carrying out their responsibilities under the new law.

For now, however, I will note that Massachusetts's receivership law has been cited as a model for our state's initiative.

Our members do find much to admire in how Massachusetts approaches education policy. One aspect they admire is how carefully Massachusetts approaches the implementation of new initiatives. Our neighbors were much more deliberate in how they phased-in common Core aligned state assessments, new teacher evaluations, and the incorporation of student performance measures into teacher evaluations.

Similarly, where we are contemplating putting over 140 schools under receivership in a few short years, Massachusetts is proceeding much more carefully.

There is a place for moral urgency when seeking to solve a serious and longstanding problem. But no one is well-served by the rushed and flawed implementation that has too often characterized our state's attempts at education reform. Our state could learn a valuable lesson from our neighbors in how to effectively carry out important education reform initiatives.