

**NY Performance Standards Consortium
317 East 67th Street
New York, NY 10065**

**TESTIMONY TO THE STATE SENATE
DEMOCRATIC CAUCUS TASK FORCE
ON
NYC SCHOOL GOVERNANCE**

SEPTEMBER 18, 2008

Proposal for Governance of the NYC Public Schools

New York Performance Standards Consortium is a coalition of nearly forty public high schools in New York State, mostly located in NYC.

Consortium schools implement a performance-based assessment system that requires students to complete complex tasks that prepare them for college and other post-secondary challenges. Our schools have earned national recognition for their success and are the only public high schools in NYS with a variance from NYS Regents testing requirements.

Parents are deeply involved in our schools. First, they *chose* our schools for their children because they believe in our approach to teaching and learning. Secondly, they are actively involved in the Consortium's parent organization and have been outspoken critics of DOE policies that infringe on the education of their children.

What follows is the Consortium's proposal for a new governance structure for New York City's public schools.

Restoring education to the center of the education agenda

As the pundits are daily reminding us, in the midst of the current catastrophic fiscal crisis, it's important to remember that it's a lack of *regulation* that got us here. Unregulated anything is a bad idea, and *unregulated mayoral control of schools is no exception*. Just imagine a Mayor Guliani with the present form of unregulated mayoral control.

With every recommendation concerning mayoral control of schools, legislators must ask themselves this question: *does the recommendation restore education to the center of the educational agenda?* No governance system is worth adopting if it does not consider how teaching and learning, curriculum and instruction, will be served by whatever changes are made.

For the past seven years, the DOE has implemented an agenda that neither supports our children nor teaching and learning. Rather than repeat a litany of complaints, however, we hope to suggest some fundamental ideas – some principles - that we believe must inform the recommendations that will be made.

We will focus on the following:

Checks and Balances
Transparency and Access
Organization
Teaching and Instruction

In a redesigned governance proposal, we need a system of checks and balances.

This would require:

- Redesigning the Panel for Educational Policy (PEP) so that it is truly an independent decision-making body composed of borough representatives, representatives of the Mayor, school-based parent bodies, the city council, students and the Office Public Advocate. Representatives serve at the pleasure of those who appointed or elected them.

- The PEP should be selected as follows:
 - 5 members appointed by the Borough Presidents
 - 5 members representing the Community Education Council (CEC) in each borough
 - 2 members representing the City Council
 - 2 members representing the Mayor
 - 1 member representing the Office of the Public Advocate
 - 2 students (non-voting)

We need a transparent selection process for chancellor – a process that protects the public interest in public schooling and provides access to decision-makers.

This means that:

- The reconstituted PEP and the Mayor select the Chancellor *who must be an educator*. We propose that the PEP send three names for Chancellor to the Mayor and the Mayor select the Chancellor from one of the recommended candidates.
- The Chancellor's first allegiance must be to the public, not the mayor; ,the chancellor must also have the confidence and ear of the mayor.
- Parents participation in decision-making begins at the local level through their school PTAs. PTA presidents serve on their borough CEC that then elects a representative to the PEP.

We need a system of transparency and access.

We've had seven years of public relations instead of transparency and access. To remedy this, we must:

- Return responsibility for selecting principals to the school level where parents and teachers interview, and select for recommendation, three candidates. The community superintendent selects from those recommendations.
- Provide parents with access to decision-makers and precise documentation about who is responsible for what (e.g. with special education—put responsibility back in the districts that can provide access, not the ISCs, Integrated Services Centers)
- Create an independent review body consisting of academics and practitioners with access to **all** school-related data and personnel and charge the body with responsibility for providing oversight of data and the issuance of periodic comprehensive reports to the public (re academic outcomes, dropout and graduation data, fiscal patterns, security, levels of parental access, etc.)
- Provide the city's comptroller with total access to the DOE budget and fiscal management including access to all DOE contracts including those categorized as "no bid." One such contract, was awarded to the Cambridge Education Associates, a British firm at a cost of \$19 million for services which were highly controversial and of questionable value.

Currently, there is no public accountability for an annual budget that increased by 71/2 billion dollars since this mayor took control. And that figure doesn't take into account all the private funding that the mayor or chancellor have raised and disbursed as they saw fit. Nor does it include expenditures such as the \$80 million for the IBM ARIS computer system (which still has not functioned as proposed) that is part of the city's capital budget.

- Document expenditures and procedures of budgeting essential services

formally budgeted as DOE costs, now deducted from individual school budgets such as those associated with photocopying contracts.

- Investigate the efficacy and cost-saving of Fast Track, the DOE's centralized purchasing system that is supposed to provide schools with competitive price options. There is evidence that. In some cases, Fast Track cost schools nearly twice as much for the same items purchased on the open market.
 - Provide a public accounting for The Leadership Academy, that has benefited from an enormous amount of funding pumped into an organization that has failed to produce competent and committed leaders for the schools. Funding for the Leadership Academy, once provided by foundation grants, has, as is the pattern, been rolled into the DOE's budget.
 - Terminate wasteful contracts, such as ARIS and Acuity, which total \$160 million and drain the DOE's budget for instruction and small class size. (There's evidence that ARIS was redundant since DOE employees have been entering data with systems they devised internally! Moreover, the State Education Department has embarked on a statewide data system (nyStart) that suggests that NYC is investing in a duplicative system.)
 - Explore the system of payment by schools to the PSOs, LSOs and Empowerment Zone networks – costs which seem to many observers to amount to double dipping – charging twice for the same function.

We need a choice of school organizations: geographical or affinity

- The present organization of LSOs, PSOs, Empowerment Zone, and districts is confusing and contributes to the unresponsiveness experienced by parents seeking assistance or information. Schools should be organized themselves either by geographic location or by a commitment to an overarching educational philosophy. Each configuration should have its own superintendent in order to provide parents with access to services and information.

We need a system that values teachers and instruction

From a parent and teachers's point of view, this is a most critical concern. The current administration has sacrificed professional community, good teaching and in-depth curriculum for the sake of data-driven algorithms and spreadsheets. Think of the irony—highly salaried folks who majored in business, law, or communications, sitting in the Tweed building telling the teachers of East New York and the South Bronx how they should be running their classrooms and their schools!

Here are a few examples of how devaluing the professionalism of practitioners has

impacted on the classroom:

- Centrally selected “curricular models” were purchased, foisted upon teachers, and then never heard of again. For example, Ramp-Up to Literacy was purchased mostly without consultation, and books for classroom libraries selected without teacher input. Months later, the books could be found at the bottom of closets or stuffed away in cartons because the titles didn’t appeal to students or they were inappropriate. And because the program required the use of a scripted curriculum, perfectly competent teachers received U- ratings because they did not follow the prescribed script.
- There were the tyrannies of the bulletin board, the rocking chair, and the carpets, which occupied front-page headlines for a time, then faded away.
- While doubts about the limitations of standardized testing were spreading throughout the country as Congress has debated NCLB, our DOE called for *more* testing through standardized interim assessments. Originally described as a pilot, the policy of testing every 6-8 weeks was foisted on the schools in June ‘06 after they had closed for the summer, thus avoiding meaningful input from teachers, principals and parents. Schools could choose from two vendors, Princeton Review or North West Evaluation Association. Only after pressure from teachers, did the DOE allow some groups to design their own assessments (DYOs). These proved to be successful and relatively cheap since teachers created assessments that were integral to their curricula.

The large no-bid contracts given to Princeton Review and NWEA failed so miserably, that many schools simply ceased their participation. The following year, (07/08) bypassing a pilot, the city entered a no-bid \$80 million contract to create interim assessments with McGraw Hill, the same publisher of New York State’s 3-8 grade ELA and math tests, thus creating the appearance of a conflict of interest. Known as Acuity, the program was not introduced into the high schools until last May and McGraw Hill reduced the number of assessments in the elementary schools. In contrast, the school-initiated DYOs continues to be successful and offers a full year’s structure for true interim assessment, which all good teachers do anyway as part of their instruction.

- The DOE has reduced assessment to testing only, limiting teacher creativity and initiative, stifling intellectual exploration of subject matter, and demeaning the work of the profession. There are alternatives that are gaining national recognition, such as reviews of portfolios of student work, assessment of oral and discussion skills, multiple opportunities for expression in writing, the arts – even student participation in physical education—all of which help a teacher know his or her students’ motivations, strengths, and weaknesses. The DOE’s role should be to encourage school-based and teacher-based involvement in developing interim assessments related to curriculum and solid educational goals -- not the score on the next standardized test.

- The UFT has documented the drastic increase in the number of teachers leaving the system. The DOE's desperate attempt to keep pumping new blood into the system through the Teaching Fellows program has been of no help with teacher retention. Half the fellows leave the system within four years. New principals are counseled to anticipate teachers leaving within three to five years. The current system has no commitment to creating professional communities within the schools. What the DOE has created is a revolving door of young, inexperienced teachers working in an environment where 85% of a school's worth, according to the DOE's "progress" reports, is based on test scores.

Learning is complex; assessment should be too.

- Under mayoral control, this administration has placed far too much emphasis on the use of high stakes standardized tests. Contracts amounting to millions of dollars have been spent on tests, interim tests, and test prep. Since the mayor has identified test scores as the single most important measure of his administration's success, schooling has become synonymous with test prep and cheating is increasingly a problem. Art programs have vanished; schools have given up recess and gym periods, and children have become numbers – identified as 1,2,3 and 4 rather than the complex human beings they are. Contrary to both research findings and the recommendations of test companies themselves, test scores dictate promotion policies, principal and teacher bonuses, school report card grades (where 85 percent of a school's grade is based on test scores) even property values.

To curtail such excesses, the legislature must promote a governance system that allows for open debate about the value of such practices – one that encourages an exploration of various methods of accountability including alternatives to high stakes testing. Many successful European countries use sampling; in our own state, there is a highly successful approach to accountability based on a system of performance-based assessment that requires students to demonstrate what they know and can do. Research on this system indicates that graduates from schools using such approaches are well prepared for college-level work.

Rethinking Governance for the NYC school system

- As stated at the beginning of this proposal, any reconsideration of governance for the NYC schools must place teaching and learning at the core of the redesign. We have lived through a very difficult period in NYC school history, one that has had a deleterious impact on untold numbers of families and teachers—schools that were closed with no input from the community, students stranded on wintry streets while buses were rerouted, teachers harassed by administrators when they didn't teach according to a script, and millions upon millions of dollars spent in ways that will have had little or negative effects on the quality of teaching and learning in the classrooms of this city.

- DOE press releases on accountability, empowerment, improved graduation rates, lowered dropout rates—all of these rhetorical flourishes have been accepted without any real, substantive debate in our communities. We ask you to look beyond the sound bites offered as excuses for a poorly conceived system. Where does the truth lie? What are the consequences of policies on the lives of children? Why has the union become the only voice defending the professionalism of teaching?
- As proposals are considered for developing a new school governance structure, it is important to take into account questions such as these, and both the intended and unintended consequences of the policies being considered.