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November 1, 2013

Dr. John B. King, Jr.  
New York State Commissioner of Education  
New York State Education Department  
89 Washington Avenue  
Albany, NY 12234

Dear Commissioner King:

I write on behalf of NYSUT's leadership in response to your October 24, 2013 letter to the field. We are heartened to see the Regents have taken steps that begin to address some of the significant problems with implementation of Common Core State Standards, testing and APPR. SED's plan to seek federal waivers is a small step in the right direction. We urge you to move these forward now to allow for developmentally appropriate assessments for English Language Learners and students with disabilities. Similarly, your proposal to eliminate double and sometimes triple testing for accelerated eighth-graders in algebra — something that our math teachers advocated for over a year ago — is a welcome adjustment.

However, while your letter acknowledges some of the problems created by the uncompromisingly fast pace of implementation, it does not address their root cause or the enormous pressure and anxiety consequently imposed on students, parents, and teachers. At the core of the widespread implementation problems is SED's failure to address the issue of building system capacity to support and sustain successful teaching and learning. Capacity building is more than posting instructional modules on a website. It is an iterative process that takes time and requires meaningful guidance. The initial course corrections outlined in your letter — and their uncertain timeline and outcome—as well as the course corrections that NYSUT, AFT and UFT recommended in our October 17, 2013 letter to the Regents reinforce the need for a three-year moratorium on high-stakes consequences for students and educators to complete the capacity building work that must be done.

**We call on SED to actually listen to parents and educators and implement substantive changes that are within your authority to make now.** This is not about quick fixes — it's about the need for SED to develop a thoughtful, transformative and supportive plan designed to ensure success. Educators embrace change—it is something that we do every day as we make adjustments in teaching in response to our students' needs. SED's implementation of new standards and testing should have been an ongoing collaborative process. Instead, for the last four years, SED has failed to be responsive to parents' and educators' valid concerns or to make needed adjustments-- polarizing and demoralizing parents and the classroom professionals who are essential to helping students succeed. SED must now acknowledge and fix the flaws in the Regents Reform agenda through a comprehensive plan that addresses issues of equity; unrealistic timelines; SED's over-emphasis on testing; and the appropriate use of test data.

**We call on SED to address in policy revisions the variables at the “core” of what the data collection over the decades has consistently indicated — socio-economic conditions do matter.** The Regents Reform agenda, which committed to raising student achievement and closing the achievement gap, is in fact worsening it. Most troubling is how the unfunded mandates and ill-considered haste of the Regents Reform agenda actually exacerbate inequity by ignoring the impact of child poverty in both urban and rural schools. Tests scores plummeted everywhere, as did the morale of students, parents and teachers, but the impact has been particularly acute in communities burdened by poverty.

**We call on SED to revise the state’s unrealistic timelines and provide educators with the time and resources needed to adjust instruction to the new Common Core State Standards.** We agree that "students are best prepared to succeed academically through rigorous and engaging instruction, not rote test preparation." However, as supported by the literature, teachers need the resources, time and professional learning opportunities to acquire the knowledge and skills to make the shifts in instruction required under the Common Core. Teachers need the time to examine the best practices, try them out in their own classrooms and then reflect on those experiences with their colleagues. Rushed, politically established timelines have benefited the “testing and vendor industry” at the expense of instruction and student learning.

**We call on SED to take responsibility for correcting its previous guidance — which has been the real driver of over-testing statewide — and support districts with the time and resources needed to develop multiple measures of authentic student assessment.** Specifically, SED must revise its guidance on Student Learning Objectives (SLOs) for the state’s 20 percent of APPR first published in September of 2011, which, coupled with unrealistic timelines, is directly responsible for test proliferation and pressure to teach to the test. SED’s own directives to the field regarding student learning objectives implied that pre-tests were needed to set targets. SED did not allow for the time or resources districts needed to develop multiple measures of student achievement and insisted on fast-tracking administration of SLOs and Common Core standardized tests, a year ahead of virtually every other state. SED testing guidance needs to be revised to encourage districts to develop multiple, authentic measures of student assessment. Furthermore, SED should redirect Race to the Top funds to support districts in this work through a formula that maximizes the use of these dollars. SED’s overemphasis on testing to the detriment of engaging classroom activities and quality instruction is seriously jeopardizing the potential of Common Core Standards. To reclaim a focus on instruction, SED must clearly communicate that it values a wide range of multiple measures which properly captures student learning.

**We call on SED to ensure that the tests provide educators, students and parents with much more information to advance student learning.** State assessments currently are primarily used for accountability purposes, with limited ability to identify academic weaknesses. Assessments should provide timely, instructionally relevant feedback to teachers, students and parents. SED — and the contractors it hires to produce the tests — should meet the federal expectation of ESEA that state tests produce individual student reports that allow parents, teachers and principals to understand and address students’ specific academic needs. The state additionally has the responsibility to review

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the first year of data to answer the fundamental questions parents and educators are asking: Does the data make sense? Is it being taken out of context? And, is it actually helping students learn?

**Finally, we again urge you and the Regents to support our call for a three-year moratorium on the use of state assessments for high-stakes consequences for students and teachers.**

School districts, burdened with the loss of 35,000 educators in the recession and less overall state aid than in 2008-09, must have time to concentrate on building capacity and fine-tuning professional development and support. A moratorium will help to advance the work that is already underway and make the changes necessary to get it right.

Sincerely,

A handwritten signature in cursive script that reads "Maria Neira".

Maria Neira  
Vice President

MN/DK/zr/jd

c: Members of the Board of Regents