



## Cut the Baloney

### *Fact Checking the Cuomo Education Agenda*

Governor Cuomo has offered up a dramatic set of reforms that amounts to nothing less than an attack on the fundamental concept of public education. His packaging of these proposals creates a compelling narrative that he is the champion of our public school students. The Governor's State of the State address was peppered with partial facts and misleading assertions. In a moment of rhetorical flourish designed to justify his entire agenda, he called the current teacher evaluation system "baloney," but his own agenda simply does not cut the mustard.

### **School Funding: Holding Students Hostage, Growing Inequality**

**Governor Cuomo is holding public school students hostage to the agenda of his hedge fund campaign donors and their front groups like Students First and Families Excellent Schools.** He says he will not add any funding for art, music, smaller class sizes, career and technical education, advanced placement classes, or anything else, unless lawmakers agree to his **education reforms that are at best untested and unproven, and at worst have actually failed in other states.**

Governor Cuomo said that "money does not improve performance." But there is plenty of evidence of just how much money does matter. **A comprehensive new study shows that "a 10 percent increase in the money available for each low-income student resulted in a 9.5 percent increase in students' earnings as adults."**<sup>1</sup> His \$1.06 billion proposal falls way short of what is needed; it's half of what was proposed by the Board of Regents and supported by 83 members of the State Legislature. **Under Governor Cuomo's leadership, inequality in spending between rich and poor districts has grown to \$8733 per pupil, a record setting level.**<sup>2</sup> When Governor Cuomo says money does not matter, all students suffer, but those in high need districts suffer the most. When he threatens to hold funding for our schools hostage, he is playing politics with our kids.

### **Evaluations and Testing: Ignoring the Evidence**

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<sup>1</sup> [http://www.washingtonpost.com/blogs/wonkblog/wp/2015/01/20/when-public-schools-get-more-money-students-do-better/?Post+generic=%3Ftid%3Dsm\\_twitter\\_washingtonpost&utm\\_source=Sailthru&utm\\_medium=email&utm\\_term=Capital%20Education&utm\\_campaign=Capital%20Education%2001%2F21%2F15](http://www.washingtonpost.com/blogs/wonkblog/wp/2015/01/20/when-public-schools-get-more-money-students-do-better/?Post+generic=%3Ftid%3Dsm_twitter_washingtonpost&utm_source=Sailthru&utm_medium=email&utm_term=Capital%20Education&utm_campaign=Capital%20Education%2001%2F21%2F15)

<sup>2</sup> <http://www.aqeny.org/wp-content/uploads/2015/01/final-final-record-setting-inequality.pdf>

Governor Cuomo called the current New York State teacher evaluation system “baloney.” He failed to mention that he forced the existing evaluation system through the legislature. **At the time, his PR team succeeded in getting *TIME Magazine* to name him one of the *World’s 100 Most Influential People in 2012 in part due to his teacher evaluation system.***<sup>3</sup>

Governor Cuomo’s solution is to increase the role of standardized testing despite huge public opposition. He is proposing that 50% of teacher evaluations be based on state tests, disregarding the overwhelming evidence this approach doesn’t work. In fact, the American Statistical Association warns “that teachers account for about 1% to 14% of the variability in test scores”, and that **ranking teachers based on test scores “can have unintended consequences that reduce quality.”**<sup>4</sup> **The RAND Corporation concluded that test scores should not be used in “high-stakes decisions about individual teachers or schools.”**<sup>5</sup> The National Research Council’s Board on Testing and Assessment states that using test scores in this way is “far too unstable to be considered fair or reliable.”<sup>6</sup> In New York, parents, teachers and administrators alike have panned the Governor’s approach as overly simplistic, and too focused on standardized tests.<sup>7</sup>

Ignoring the evidence, Governor Cuomo asserted that, “*Everyone will tell you nationwide the key to education reform is a teacher evaluation system.*” This is certainly the rhetoric of the corporate reform crowd who are the Governor’s donors, but there is no evidence to back it up. **The outcome will be more teaching to the test, which is bad for the education of our children. It will also punish teachers who dedicate themselves to teaching low-income students.**

## **Expanding Pre-K Statewide: Hollow Promises**

Governor Cuomo’s budget presentation began with an introduction from a teacher who told us, “Thanks to Governor Cuomo, soon every four year old in the state will have access to quality pre-K education.” The Governor said that as part of his “phase-in” of universal full-day pre-K, he would “Invest another \$365 m this year in pre-k for 4 year olds.” It was very exciting to hear the Governor follow through on last year’s much-ballyhooed commitment regarding statewide pre-K that “as quickly as cities can bring it

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<sup>3</sup> [http://content.time.com/time/specials/packages/article/0,28804,2111975\\_2111976\\_2111987,00.html](http://content.time.com/time/specials/packages/article/0,28804,2111975_2111976_2111987,00.html)

<sup>4</sup> [https://www.amstat.org/policy/pdfs/ASA\\_VAM\\_Statement.pdf](https://www.amstat.org/policy/pdfs/ASA_VAM_Statement.pdf)

<sup>5</sup> Daniel F. McCaffrey, Daniel Koretz, J. R. Lockwood, Laura S. Hamilton (2005). *Evaluating Value-Added Models for Teacher Accountability*. Santa Monica: RAND Corporation.

<sup>6</sup> National Research Council, Board on Testing and Assessment (2009). *Letter Report to the U.S. Department of Education*.

<sup>7</sup> <http://www.lohud.com/story/opinion/editorials/2015/01/21/gov-cuomo-wrongly-focused-teacher-evaluations/22129435/>

online, we will fund it.”<sup>8</sup> But in reality the teacher who introduced him was, like the rest of us, artfully misled. The \$365 million in new money this year is actually not new money at all. It is simply a renewal of the \$365 million invested last year--\$300 million for New York City, \$40 million for the rest of the state and \$25 million for a statewide competitive grant program. **In reality, Governor Cuomo did not propose to expand pre-k for a single four-year-old this year. And this comes after only serving 4% of four-year-olds outside New York City last year. Governor Cuomo has no plan to phase in universal pre-K for upstate and suburban four-year-olds.**

## **Charter Accountability: Another Bait and Switch**

The Governor is right that there is a major problem with privately-run charter schools cherry picking students. He promised “anti-creaming” legislation to make sure they serve their share of students in the highest poverty, students with disabilities and English language learners. **The problem is that his “anti-creaming” legislation for charter schools is toothless.** The only new requirement involves charters self-reporting student demographics. It does not change current law at all in terms of enforcing any requirement to actually serve the same spectrum of high needs students as are served by public schools. **It’s anti-creaming legislation without the anti-creaming provisions.** Further, the Governor failed to propose anything to require greater fiscal accountability for charters. The First Deputy Comptroller recently warned of charter schools engaging in “practices that are questionable at best, illegal at worst.”<sup>9</sup> Yet **the Governor proposed nothing to crack down on fraud, waste, or abuse in the charter school industry.**

**The Governor and his hedge fund backed charter allies are relying on this toothless enforcement legislation to provide cover for a massive expansion of charter schools.** Currently there are 159 available charter school slots, including 24 for New York City. The Governor would add 100 new slots, but he would open up all of the 159 for any location in the state—meaning that New York City could rapidly see another 259 privately run charter schools. But the Governor also proposes to increase state subsidies for privately run charter schools to \$575 per student, on top of tuition paid by local school districts. This additional funding will provide an incentive for an expansion of privately run charter schools statewide, which will divert hundreds of millions of additional state and local dollars away from public schools. **This enormous growth in charters and charter funding would come with no additional accountability for the charter school industry.**

## **Improving Low Performing Schools: Good Sound Bite, Failed Policy**

The Governor is right that the state needs to improve education in many schools. That has been our argument all along. Over the years, the Governor has made a big splash off of programs like community schools, extended learning time and statewide pre-K. But he’s invested a very small amount of money—enough to get a headline while serving only a small fraction of students. For instance, in the 2013 State of the State he promised extended day to every school district that wants to “opt in”, saying if they do it, the state would pay 100% of the additional cost. <sup>10</sup> But, as with universal pre-K, he never delivered on this promise. **If Governor Cuomo put his money where his mouth is and invested what is necessary to turn every one of these schools into community schools, with extended day, a high quality curriculum and full-day pre-K throughout the state, we would see dramatic improvements. The research cited by**

<sup>8</sup> <http://www.recordonline.com/article/20140213/NEWS/140219841/0/SEARCH>

<sup>9</sup> <http://www.washingtonpost.com/blogs/answer-sheet/wp/2015/01/23/five-key-questions-to-ask-now-about-charter-schools/>

<sup>10</sup> <http://www.governor.ny.gov/news/transcript-governor-andrew-m-cuomos-2013-state-state-address>

**his own education commission proves that.** But that would require asking millionaires and bankers to pay their fair share in taxes in order to finance those programs. Fair taxation in order to fund these programs could hurt Governor Cuomo's campaign war chest and his future political ambitions.

The Governor is proposing a state run takeover of local school districts and schools by **turning control of a local school district over to a "receiver", who essentially becomes the czar of the school district.** The Cuomo plan would eliminate the powers of the elected school board and the superintendent, and would make the voices of parents, students and voters moot as the new school czar, who would most likely be a private consultant, would call all the shots. The same plan would be applied to individual schools as well as districts. The school czar could fire all the teachers and administrators, turn the school into a

charter school, or insist on other top down dramatic actions. The one power the school czar would not have is additional funding to create the needed programs. For the most part these interventions are borrowed from federal No Child Left Behind programs. **Educationally, the plan is destined to fail in most cases. In fact, a comprehensive review of these type of interventions nationwide found that “Overall, there is little or no evidence to suggest that any of these options delivers the promised improvements in academic achievement.”**<sup>11</sup> The research on what does work shows clearly that one of the essential elements is strong parent and community ties,<sup>12</sup> but Governor Cuomo’s top down interventions ignores parents and communities. **It may be a good sound bite, but it’s bad policy.**

## **Private School Voucher Tax Credit: Pure Privatization**

**This is nothing more than a give-away to the wealthy.** Corporations and individual taxpayers would receive a tax credit equal to 75 percent of their contributions, up to \$1 million a year. That is a total of \$100 million in taxpayer money going primarily to private schools. In a cynical political ploy, the Governor is holding passage of the DREAM Act hostage in order to win support for the private school tax credit.

## **Market Reforms Do Not Work in Education**

The Governor’s education agenda places him in the national spotlight alongside presidential contender and former Florida Governor Jeb Bush and other leading proponents of a “market reform” agenda for education. This agenda applies market forces to school reform. Test scores are used as a bottom line to measure schools and teachers, just as Wall Street uses a balance sheet to measure profits. Privatization and “market disruption” through expanding charter schools and tax credit voucher programs are hallmarks of this approach. Using high stakes test scores to label schools as “failing”, and to trigger top down takeovers by a single person with the virtually unlimited powers of a corporate CEO, jumps straight out of the corporate “turnaround” playbook. And proclaiming that money does not matter in public education, while insisting on more funding for privately run charter schools, is one of the leading sound bites of the market reformers and their hedge fund sponsors. The problem is that market approaches to education reform have failed. Dr. Margaret Raymond, the director of CREDO, a nationally renowned conservative education think tank at Stanford University, summed it up recently:

*“I actually am kind of a pro-market kinda girl. But it doesn’t seem to work in a choice environment for education. I’ve studied competitive markets for much of my career. That’s my academic focus for my work. And (education) is the only industry/sector where the market mechanism just doesn’t work.”*<sup>13</sup>

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<sup>11</sup> <http://nepc.colorado.edu/files/Mathis-SANCTIONS.pdf>

<sup>12</sup> [http://ccsr.uchicago.edu/downloads/9954essentialsupports\\_onepager\\_final-2.pdf](http://ccsr.uchicago.edu/downloads/9954essentialsupports_onepager_final-2.pdf)

<sup>13</sup> <http://www.educationdive.com/news/credo-director-the-free-market-doesnt-work-in-ed/343780/>