

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON EDUCATION

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October 30, 2009

Start: 10:15 am

Recess: 2:00 pm

HELD AT: Council Chambers
City Hall

B E F O R E:

ROBERT JACKSON
Chairperson

COUNCIL MEMBERS:

Bill de Blasio
Simcha Felder
Lewis A. Fidler
G. Oliver Koppell
Jessica Lappin
John C. Liu
Domenic Recchia, Jr.
James Vacca
Peter F. Vallone, Jr.
Albert Vann

A P P E A R A N C E S (CONTINUED)

Phil Vaccaro
Executive Director, School Performance Group
Division of Accountability and Achievement Resources
New York City Department of Education

Michael Asher
Executive Director of External Affairs
New York City Department of Education

Adina Lopatin
Chief of Staff, Division of Accountability
New York City Department of Education

Shael Polakow-Suransky
Chief Accountability Officer
New York City Department of Education

Ernest Logan
President
Council of Supervisors and Administrators

Aminda Gentile
Vice President
Education for the United Federation of Teachers

Glenn Nostitz
Director of the Office of Policy Management
Office of the Comptroller

Martha Foote
Parent, Member
Time Out from Testing

Martin Krongold
Member
Citywide Coalition of High Schools

Akbar Herndon
Parent, Educator
PS 366 (Washington Heights Academy)

A P P E A R A N C E S (CONTINUED)

Gresha Tessalona
Parent, Representative
PS 366 (Washington Heights Academy)

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[gavel]

SERGEANT-AT-ARMS: [off mic] Quiet,
please, quiet, please.

CHAIRPERSON JACKSON: Good morning,
everyone, and welcome to today's Education
Committee's oversight hearing on the Department of
Education's progress reports for schools. Before
I begin my opening statement, let me introduce our
colleagues that are here this morning: Simcha
Felder of Brooklyn, and Jimmy Vacca of The Bronx,
and our colleague Oliver Koppell was here, and
you'll be seeing other colleagues as they arrive.
In April of 2006, the Chancellor launched a
comprehensive accountability initiative which
included report cards called "Progress Reports"
for each school in New York City. Progress Report
assigned schools a letter grade, A through F, and
are touted by the Department of Education as a
centerpiece of the City's effort to hold schools
accountable for student outcomes. According to
DOE, progress report grades are supposed to
provide parents with detailed information about
school performance to inform family decisions with
detailed information about school performance, so

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2 forth and so on. Progress reports also are used
3 by DOE for major decisions, such as determining
4 whether schools should be closed, awarding bonuses
5 for school staff, and evaluating principals. This
6 is the second hearing that the Education Committee
7 has held on this issue. The first hearing was
8 held on December 10, 2007, shortly after DOE
9 released the first Progress Reports in November of
10 2007, which were based on data from the 2006/2007
11 school year. Progress Reports have been published
12 each fall since then, for City public elementary
13 schools, middle schools, and high schools. On
14 September 2, 2009, the Chancellor released
15 Progress Report results for the third consecutive
16 year for elementary, middle school and K to 8, but
17 the 2009 scores for high schools has yet been
18 released. Grades on the 2009 Progress Reports
19 improved dramatically over those in 2008. Listen
20 to this: 84 percent of public, elementary and
21 middle schools receive an A grade this year,
22 compared to 38 last year--84 this year compared to
23 38 last year. 13 percent received a B this year
24 compared to 40 percent receiving a B last year--13
25 this year, 40 percent last year. Just two percent

1 received a C compared to 15 percent last year.
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3 And less than one percent received either a D or
4 an F this year, compared to five percent receiving
5 a D and two percent receiving an F. So, less than
6 one percent this year, compared to seven percent
7 last year, as far as D and F. There were only
8 five schools that received a D and two schools
9 that received an F this year. Incredibly, 97
10 percent of the City's public, elementary and
11 middle schools received a grade of A or B on their
12 report card this year. Now mind you, the high
13 school results are not out yet, so if in fact the
14 results of the high school is indicative of the
15 elementary and middle schools, then there will be
16 about 97 percent receiving either an A or B, and
17 that's a huge turnaround in one year. That's like
18 going from the Earth to the Moon. There were many
19 schools that went from a D or an F last year to
20 either an A or B this year. Imagine, you are a
21 parent of a child who made such a huge turnaround
22 on their report card in one year. On one hand, it
23 says you would be happy. No, you wouldn't be
24 happy, you would be ecstatic. But on the other
25 hand, you would also be somewhat skeptical. Now,

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2 imagine if your child's school, 38 percent, you
3 know, now imagine if in your child's school 38
4 percent were A students last year, and 84 percent
5 became an A student this year. 38 percent of your
6 students had an A, and now this year 84 percent.
7 I think that you'll say that something's really
8 wrong with this picture, and that's how almost
9 everyone--everyone--including editorial boards are
10 reacting to this year's Progress Report grades.
11 This year, Progress Report scores have been called
12 "inflated," "bogus," and "politically motivated"
13 in press accounts, and editorials have referred to
14 the grades as "meaningless" and called DOE to "fix
15 them." Progress Reports have been the subject of
16 controversy and debate every since they were first
17 introduced. Questions have been raised about the
18 accuracy, reliability and fairness of the grading
19 system for school. One complaint is that the
20 method of calculating each school grade is too
21 complicated and confusing. A school's grade is
22 based on three elements: school environment,
23 student performance, and student progress. School
24 environment makes up 15 percent of the grade, and
25 is based on attendance and the results of parent,

1 student and teacher surveys. Student performance
2 makes up 25 percent of the grade and is based on
3 the percentage of elementary and middle school
4 students who pass the New York State test in
5 English language arts, normally said ELA, and
6 math. So for high schools, student performance is
7 based on graduation rate and types of diplomas
8 awarded. Now, let me just stop there for one
9 second, and I'll continue. Did everyone listen to
10 1010 News this morning? No? Well, there's an
11 article in the City Room of the New York Times
12 where the heading is, "Lehman High School
13 Principal in Grade Tampering Inquiry." Read it.
14 The largest part of a school's grade, 60 percent,
15 comes from the student progress report, which is
16 supposed to reflect how much schools help students
17 advance during the school year. How student
18 progress is measured is somewhat complicated,
19 though; quite frankly, I'm not fully, I don't
20 fully understand it myself. So, I hope that the
21 Department of Education will be able to clarify
22 that for me this morning, and for my colleagues,
23 also, 'cause I'm sure if I don't understand it,
24 I'm absolutely sure my colleagues don't understand
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2 it either. In addition, it is my understanding
3 that in each of the three areas that make up the
4 progress report, 75 percent of a school's
5 progress--75 percent of a school's score comes
6 from comparing the school's results with those of
7 40 "peer" schools having similar student
8 population, while the remaining 25 percent is
9 based on a comparison with all schools citywide.
10 Many parents, advocates and experts in assessment
11 have criticized the overemphasis on standardized
12 test scores in determining school grades, rather
13 than including a balance of other things that
14 parents care about in making decisions about
15 schools, like whether it is overcrowded, whether
16 it has small class sizes, and whether it offers a
17 variety of arts programs, electives, sports teams
18 and other activities. Fully 85 percent of the
19 progress report grades is based on results of the
20 State ELA tests and math tests, and only 15
21 percent is based on other aspects of school
22 environment. These concerns have been escalated
23 since the release earlier this month of the
24 National Assessment Educational Progress Results,
25 the math scores, which is called, what is it

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2 called? NAEP, N-A-E-P. New York State fourth and
3 eighth grade students made no significant progress
4 on the NAEP exam, which is often referred to as
5 the nation's report card, and considered by many
6 to be the golden standard, or the gold standard,
7 in testing. The NAEP results were in stark
8 contrast to State math tests that showed record
9 increases in student performance over the same
10 period, which renewed criticism that the State
11 exams have become much too easy. Over the past
12 several years, the threshold for passing the State
13 standardized ELA, the English Language Arts, and
14 the math test, have been lowered in every grade.
15 In fact, one city teacher recently conducted an
16 experiment in which she answered questions at
17 random on two state tests passing both of them
18 without even reading the questions. Since 85
19 percent of the progress report grades are based on
20 the State standardized test scores, the latest
21 math results which contradict state test results,
22 have further eroded confidence in the school
23 report cards. Questions have also been raised
24 about the accuracy of the school grading system,
25 with some of the loudest protests generated as a

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2 result of instances where schools with very good
3 reputations in high student achievement have been,
4 have received a grade of a D or an F, while
5 schools, most of the schools that appear on the
6 state's list of failing schools, and dangerous
7 schools, have received grades of either an A or a
8 B. Concerns have also been raised about the
9 fairness of the grading system, because it fails
10 to take into consideration important things like
11 the school size, like class size, or whether a
12 school uses a selective admissions process in
13 determining a school's "peer group" or supposedly
14 similar schools. This is an important point,
15 because as I mentioned earlier, three-fourths of a
16 school's grade is based on this peer group. So,
17 for instance, two middle schools may have students
18 with similar fourth grade test scores; but if one
19 is at 85 percent of capacity and the other is at
20 120 percent capacity, then that's not a fair
21 comparison. Or, if one class has 21 students and
22 the other has 30 students in a class, the school
23 with the smaller class size has a definitive
24 advantage over the other. Clearly, though, based
25 on this year's inflated results, changes have to

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2 be made, without a doubt. I'd like to see other
3 factors besides test scores used in determining
4 school grades, and more information included in a
5 report card: like class sizes, and how crowded it
6 is, and how many years of experience teachers
7 have, and whether there are art programs or
8 afterschool programs, and so on. The old school
9 report cards had some of this information on it.
10 At today's hearing, the Committee wants to learn
11 more about progress reports and how they are
12 calculated. We'd also like to learn how the
13 methodology has changed over the past three years,
14 especially as it relates to the dramatic
15 improvement in grades this year. And about
16 usefulness of these report cards in their current
17 form, as a tool for evaluating school performance,
18 and for making high stakes decisions. We also
19 look forward to hearing testimony from parents,
20 educators, advocates, today on what they think
21 progress reports, and whether they are proving to
22 be a useful tool on what part, or what part may
23 need further improvement. I'd like to remind
24 everyone again that if you wish to testify today,
25 you must fill out a witness slip at the Sergeant-

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2 at-Arms up front. In order to allow as many
3 people as possible to testify, testimony will be
4 limited to three minutes per person. And now,
5 without further ado, I'd like to turn to our first
6 witness, or witnesses. Phil Vaccaro, it doesn't
7 say what his position is, with the Department of
8 Education; Michael Asher; Adina Lopatin, from DOE;
9 and Shael Polakow--how do you pronounce the last
10 name? [off mic comment] Oh, I'm sorry, it's
11 hyphenated. Please come forward. And if you
12 don't mind to just introduce yourselves and your
13 position with the Department of Education, and
14 whoever's going to start testimony first, they may
15 begin.

16 PHIL VACCARO: My name is Phil
17 Vaccaro, I work for the Division of Accountability
18 and Achievement Resources, I'm the Executive
19 Director of the School Performance Group.

20 MICHAEL ASHER: Michael Asher,
21 Executive Director of External Affairs, at the
22 Department of Education.

23 SHAEL POLAKOW-SURANSKY: Shael
24 Polakow-Suransky, Chief Accountability Officer,
25 New York City Department of Education.

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2 ADINA LOPATIN: Hi, I'm Edina
3 Lopatin, I'm the Chief of Staff for the Division
4 of Accountability.

5 CHAIRPERSON JACKSON: So, you're
6 the what chief what?

7 ADINA LOPATIN: Chief of Staff.

8 CHAIRPERSON JACKSON: Okay.

9 SHAEL POLAKOW-SURANSKY:
10 Accountability Office.

11 CHAIRPERSON JACKSON: Okay, so, you
12 work with the Executive Director Phil, is that
13 correct?

14 MICHAEL ASHER: Yeah, Chairman,
15 yeah, Chairman, Shael Polakow-Suransky is our
16 Chief Accountability Officer, Phil and Edina are
17 part of his team.

18 CHAIRPERSON JACKSON: Okay. So.

19 MICHAEL ASHER: We're, we just want
20 to say as always we're grateful to you for
21 focusing on an incredibly important part of our
22 work, to bring our schools forward. We, and it's,
23 we're grateful for the opportunity to have a
24 thorough discussion of this important issue. We
25 had hoped, and I just wanted to make sure you know

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2 this, we had, we'd hoped to be able to have this
3 conversation once the high school progress reports
4 were available, because I think that they would
5 have provided a more fuller picture of the
6 conversation, but obviously we understand the
7 Committee's desire to have this Committee, to have
8 this meeting by the end of the month. So, but
9 perhaps another day we can revisit that subject as
10 well.

11 CHAIRPERSON JACKSON: Sure, and in
12 fact, we look forward to when the City results
13 come out, but quite frankly, we think there's
14 enough information, and that's why we wanted to
15 have this hearing. And this, and as you know,
16 there was no pre-hearing press release that was
17 put out yesterday or the day before, so this, this
18 article in the New York Times City Room,
19 concerning the Lehman High School principal,
20 raises a lot of questions, especially at this
21 point in time, when we're dealing with this
22 matter.

23 MICHAEL ASHER: With that said, I
24 will ask Shael to get into the testimony. Thanks.

25 SHAEI POLAKOW-SURANSKY: Good

1 morning, Chair Jackson, members of the Education
2 Committee, thank you for giving me the opportunity
3 to discuss the City Progress Reports this morning.
4 My name is Shael Polakow-Suransky, I took on the
5 role of Chief Accountability Officer this past
6 July. Previously, I led the instructional work
7 and empowerment schools; and I began my career as
8 a teacher in 1994, at a middle school in Harlem,
9 taught sixth grade math; then went on to become an
10 assistant principal; and ultimately founded my own
11 school in The Bronx, a school for recent
12 immigrants, where I was principal at the Morris
13 Campus. And so since 2002, Mayor Bloomberg and
14 Chancellor Klein introduced public school reforms
15 designed to put the academic success of children
16 first. Since then, we've seen real progress in
17 student learning. In 2002, just 39 percent of
18 students were on grade level in English. Today,
19 70 percent of students are proficient or above in
20 English. In 2002, just 43 percent of students
21 were proficient or above in math. Today, 82
22 percent of students are proficient or above in
23 math. I'll go into more detail on this later, but
24 just I want to also note the bottom line on this
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1 chart, I think you also have copies of this if
2 you're not able to see the PowerPoint. We've also
3 tracked the gap with the rest of the State, which
4 we see as an important measure because everyone in
5 New York State is taking the same tests and what
6 we see is that steadily New York is closing the
7 gap with the rest of the State, so we're
8 increasing at a rate faster than other cities and
9 districts in the State. On the graduation rates,
10 we saw for decades flat graduation rates hovering
11 around 50 percent. Over the last seven years,
12 those have started to climb. Since the State
13 started keeping its data, we've seen a increase
14 from 46 percent to 56 percent in high school
15 graduation rates. I would argue that when we look
16 at that sort of trajectory from the late '80s
17 through 2002, seeing that graduation rate remain
18 flat, there was a real question that confronted
19 this administration when it began looking at how
20 do we change that. And one of the key strategies
21 that we developed was actually asking principals
22 to be accountable for student learning. In 2007,
23 principals signed a landmark performance agreement
24 with the City, winning increased autonomy to run
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2 their schools in exchange for agreeing to
3 increased accountability for the outcomes of their
4 students. Educators we believe know best about
5 what each students needs to succeed, and they
6 should have the authority and resources to make
7 the best decision for their students. But in
8 return, we ask that they be judged on the learning
9 of their students. This is a really fundamental
10 change in the City, and I think the fact that
11 we're having this hearing today is testament to
12 the fact that the conversation is now about
13 student learning and how do we measure it best.
14 And there's definitely lots to debate on that
15 point, and we'll go into that in more depth. But
16 before we dive into that, let's recognize that we
17 are having this conversation about student
18 learning. And honestly, before this
19 accountability system was in place, that did, that
20 conversation didn't happen. When I started as a
21 teacher and as an assistant principal, you know,
22 principals were generally accountable for
23 completing all the reports on time, making sure
24 that there weren't any big press stories about
25 their school. Everything but whether or not the

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2 kids were learning. And the fact that we've now
3 started to ask principals to look closely at
4 student learning, and defined what good is in
5 terms of student learning, is a significant
6 change. Teachers union leader Albert Shanker
7 said, "Unless there is accountability, we'll never
8 get the right system." As long as there are no
9 consequences, if kids or adults don't perform, as
10 long as the discussion is not about education and
11 student outcomes, then we're playing a game as to
12 who has the power. Since the City began holding
13 principals accountable, things have changed for
14 the better. Today the accountability of the
15 principal is to prepare students to graduate from
16 high school and to be ready for college. The
17 progress reports are best understood--the progress
18 reports are best understood in a broader context
19 of the New York City's accountability system,
20 which uses a diverse range of measures that
21 collectively provide essential information to
22 improve teaching and learning. One, our
23 accountability system is new, and so like all new
24 systems, it isn't perfect. With feedback from
25 educators and community leaders, we're learning

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2 what's working and what's not, and we're making
3 improvements all the time. The quality review is
4 one measure that we aren't going into great detail
5 about, but I just want to mention it because I
6 think it is a very important measure. It's a
7 process through which experienced educators assess
8 how well schools are organized to promote student
9 learning through a two-day site visit including
10 classroom observations and conversations with
11 teachers and parents. The quality review also
12 looks at a range of things, including the rigor of
13 the curriculum, the level of student engagement in
14 the school, the school's culture, what's happening
15 with professional development, and the quality of
16 instruction. We also are the first city to do an
17 annual learning environment survey, where we
18 collect feedback from parents, teachers and
19 students about each school's environment. More
20 than 800,000 New Yorkers participated last year,
21 and this survey helps school leaders and others
22 identify areas where improvement is needed. As
23 you said in your testimony, the progress report
24 analyzes student attendance and school environment
25 data, along with information about how proficient

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2 students are in reading and math, and how much
3 progress they make each year; the number of
4 credits students accumulate towards graduation
5 each year; and the percentage of students who
6 graduate from high school on time and ready for
7 college. To enhance the power of these
8 evaluations to motivate educators, we've built a
9 system of rewards and consequences based on the
10 results of the progress reports and the quality
11 reviews. Principals and teachers at schools
12 receiving high scores are eligible for monetary
13 bonuses; schools receiving low scores are subject
14 to leadership change after two years and
15 restructuring or closure after four. Combined
16 with the State evaluations required by the federal
17 No Child Left Behind Act, these measures provide a
18 powerful and comprehensive set of information
19 about how well our schools are doing their job in
20 enabling student learning. To do this, though, we
21 also have to build the capacity of the educators.
22 So this is not a sink-or-swim system. And our
23 accountability system includes a set of tools
24 designed to help educators diagnose student
25 learning needs and develop instructional

1 strategies to meet them. As Harvard professor and
2 educational leader Richard Elmore wrote,
3 "Accountability must be a reciprocal process. For
4 every increment of performance I demand from you,
5 I have an equal responsibility to provide you with
6 the capacity to meet the expectation. Likewise,
7 for every investment you make in my skill and
8 knowledge, I have a reciprocal responsibility to
9 demonstrate some new increment in performance."
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11 New York City today is investing heavily in
12 teacher skill and knowledge. Across the City,
13 teachers are using the results of periodic
14 assessments, which are given often during the
15 school year, to identify the areas of learning in
16 which individual students are strong and the areas
17 in which they need more help. In hundreds of
18 schools, teachers are learning to design their own
19 assessments also, generating customized and
20 targeted information about their students and
21 building their own capacity to strengthen
22 instruction. In some cases, these are paper and
23 pencil and online assessments, but in many cases,
24 teachers--

25 CHAIRPERSON JACKSON: Can you hold

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2 on a second, please. Hold on a second, please.
3 Just bear with us one second. [pause] --of your
4 testimony did you bring over, please. [off mic
5 comments] [pause] Well, in the future, can you
6 bring more than 20? There are 17 members on the
7 Committee, but there are more members of the City
8 Council that come to Education Committee hearings.

9 MICHAEL ASHER: Councilman, we'll
10 bring as many copies as the Committee would like
11 us to.

12 CHAIRPERSON JACKSON: Okay, thank
13 you.

14 MICHAEL ASHER: - -

15 COUNCIL MEMBER VACCA: Can I ask Mr.
16 Chair, dos the gentleman testifying intend to read
17 all 17 pages?

18 SHAEL POLAKOW-SURANSKY: I'm--

19 COUNCIL MEMBER VACCA: I do have
20 questions, and with all due respect, I'm sure it's
21 very well put together, but I would like to have
22 more of a concise presentation, so that we can get
23 to questions.

24 MICHAEL ASHER: Okay, Councilman,
25 obviously it's an incredibly important and complex

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topic, and--

COUNCIL MEMBER VACCA: But we have it before us to read 17 pages before the Committee, we have it before us and we've had other hearings about this in the past. I'm knowledgeable about this topic, and I would like to proceed to reasonable questions.

CHAIRPERSON JACKSON: Okay, let me, just that, question is, it's appropriate question, I mean, the testimony is here, if you can do an overview of your testimony rather than reading it, that would be great, so we can get to questions.

MICHAEL ASHER: I think, Councilman, it's important to have a thorough, it's a complex issue, obviously if Mr. Suransky can find portions that he doesn't need to get into, I'm sure he'll do that along the way, but I think it's important that we have a thorough conversation about this issue.

CHAIRPERSON JACKSON: That's fine, and the conversation is a two way street. So, I think that our colleague is absolutely correct that if he could just summarize the various sections of the, of his report, or his testimony,

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so that we can get to that question and answer situation.

MICHAEL ASHER: I think, I think I don't want to ask Mr. Suransky to edit on the fly more than he's willing to do.

CHAIRPERSON JACKSON: But he's not editing, we have his testimony on the record. This is, this is his submission, which we have, but let's continue.

SHAEL POLAKOW-SURANSKY: Thank you.

CHAIRPERSON JACKSON: What page are you on, sirs? What point of reference?

SHAEL POLAKOW-SURANSKY: I think we're, we have different documents. On mine is page three, but I think you may have a different version.

CHAIRPERSON JACKSON: Okay, go ahead, sir.

SHAEL POLAKOW-SURANSKY: 'Cause mine is actually ten pages of testimony.

CHAIRPERSON JACKSON: Go ahead, please.

SHAEL POLAKOW-SURANSKY: Okay, so what I was trying to describe is the support

1 systems that we've put in place, to enable
2 educators to be successful in moving student
3 achievement. Addition to the periodic assessments
4 and where teachers get to design assessment tools
5 to measure progress over the course of the year,
6 we also have started a process where teachers are
7 involved in inquiry teams where they meet to look
8 at student work and teacher work and make
9 adjustments to practice. In addition to that, we
10 also have network support teams, each school
11 selects into an SSO. That SSO is part of the
12 supports that that school defines it needs in
13 terms of professional development. And the goal
14 of those support teams, which are new, are to
15 really customize supports to each schools needs in
16 response to what the principals want. The
17 progress reports, you know, are something that
18 haven't just been worked on by the Department of
19 Ed. We've worked with many of our educators and
20 community leaders over the past three years to
21 develop and refine the reports, and we've also
22 submitted to a list of the changes, and I'll speak
23 in a minute to some of the details of those
24 changes. But this has been a collective process,
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2 and as I said at the beginning, it's not done.
3 You know, we hope to continue to make them better
4 over time. But people in the institutions and our
5 city don't necessarily want to be evaluated. Some
6 people would say, "You need to get 'em perfect
7 before you evaluate anyone," and that can be the
8 enemy of the good. Business leader Jim Collins
9 wrote, "To throw up our hands and say, 'We cannot
10 measure performance in social sectors the way we
11 do in business' is simply a lack of discipline."
12 All indicators are flawed whether qualitative or
13 quantitative, test scores are flawed, mammograms
14 are flawed, crime data is flawed, customer service
15 data is flawed. What matters is not finding the
16 perfect indicator, but figuring out a method to
17 assess results, and then track that with rigor.
18 We started with the simplest and least
19 controversial measure of success, which is how
20 many kids are graduating from high school. And so
21 the high school reports measure that, and what
22 you're doing on the way to that, whether you're
23 passing your regents exams or your credits. It's
24 less well understood that the elementary and
25 middle school progress reports also measure

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2 progress towards graduation, because there's a
3 direct link between how kids do on those tests in
4 elementary and middle school, and their chances at
5 graduating. Let me just share this chart with
6 you, which kind of details the different scale
7 scores for eighth graders in 2004 and what
8 happened in terms of their graduation outcomes.
9 So that, if you earned a 700, which is right
10 around proficiency, or the level three on your
11 eighth grade ELA test in 2004, you had about a 55
12 percent chance of graduating. If you went up to
13 717, your chances of graduating from high school
14 with a regents diploma went up to 77 percent. So
15 that's a significant jump, and you see this same
16 pattern across grade levels if you look at the
17 third and fourth grade tests, if you look at it
18 over different years. And the point there is
19 that, you know, while you can argue about whether
20 tests are valid or not, there is a direct
21 correlation between how kids do on these tests and
22 whether or not they're going to be ready to
23 graduate. You asked specifically about some of
24 the differences between our system and the federal
25 accountability system. One of the things that

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2 historically has been done to measure schools is
3 you look just at the bar of how many kids are
4 graduating, or how many kids are meeting
5 proficiency. And so, in the days before these
6 progress reports, schools would just look at the
7 kids who were close to that line, and they didn't
8 pay attention to the kids who were lower down, who
9 were level one or low level twos, and they didn't
10 necessarily pay attention to the high level threes
11 or the high level fours, 'cause all they were
12 being held accountable for was whether they moved
13 across that line. And that's a problem. And so
14 one of the things we've tried to fix is creating a
15 way to measure progress for every single kid in
16 the school, and reward schools when they make
17 progress with all of the students. The other
18 thing that's challenging about the existing
19 federal and state systems is that they don't
20 compare schools to each other based on similar
21 student populations. They just look at the
22 schools compared to an abstract standard. And so,
23 it created incentives, especially where schools
24 were able to screen students, to try and screen
25 out the weakest students. We've tried to change

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2 those incentives, we've tried to set up a system
3 where it's actually possible to compare schools to
4 each other that do have similar students, and hold
5 them accountable based on that. And that's what
6 the peer group method is intended to do. Let me
7 just go quickly over what the progress report
8 measures. There's four basic things that are
9 being measured: school environment, student
10 performance, student progress and additional
11 credit. School environment is the student
12 attendance and the learning environment survey
13 results. Student performance is the stuff that
14 historically it has been measured by the State.
15 You know, how many kids got to proficiency, how
16 many kids graduated? Those are both very
17 important measures, but they're not enough. And
18 so you'll see that we've really emphasized student
19 progress as a key measure, and at the elementary
20 and middle school level, what we're trying to
21 measure is how many kids made a year worth of
22 progress? And what is their average proficiency?
23 And then at the high school level we look at
24 credit accumulation and regents pass rates to see
25 how kids are on track for graduation. There's

1
2 also an additional 15 points you can earn in terms
3 of extra credit, which is based on, you know,
4 outperforming other schools in the City when it
5 comes to the lowest performing kids. And so,
6 again here, we're trying to create an incentive
7 where we want schools to compete to make kids who
8 have historically struggled, more successful. And
9 we've actually seen, as I'll share with you in a
10 minute, some real gains in those populations.
11 Across all the measures, we use peer groups. And
12 so the peer groups are a really important way to
13 make this an even playing field. And at the
14 elementary level, the peer groups are based on
15 demographic factors, at the middle and high school
16 level it's based on the starting score of the kids
17 who are entering the school. Either way, what
18 we're trying to do is set up a situation where
19 each school is being compared to the schools that
20 are most similar to it in the system. And we want
21 to acknowledge the fact that if some schools start
22 with kids who are further behind, and they make
23 progress with those kids, they should not
24 necessarily be compared to a group of schools that
25 start with kids who are better prepared. One

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2 other thing that's important to note on the
3 progress report, there's an overall letter grade,
4 but there's also a numerical score. And that
5 numerical score is something that can give you
6 additional information, especially in a year like
7 this, where as you pointed out, there's less
8 differentiation in the letter grades. You still
9 do see differentiation in those numerical scores,
10 there's also subcategory scores, so you see you a
11 score for each of those sections. And so, as
12 parents are looking at this, we would encourage
13 them to look both at those numerical scores and
14 the subcategory scores, 'cause there's very
15 important information there. So, let me now talk
16 about the grading, which is the main issue that
17 you raised in your earlier comments. When
18 principals signed up for this, the basic deal was
19 that we were going to set a target each year for
20 them of what it takes to get an A. And then they
21 were going to shoot at that target; if they didn't
22 hit it, then they could go to the next target
23 down, which would get them a B, or a C, or a D, or
24 an F. Each year, we make a decision about how to
25 set those cut scores, about what makes an A, what

1
2 makes a B, what makes a C, what makes D. And we
3 tell principals long before the kids sit for the
4 tests, you know, what is it that those cut scores
5 are going to be, and what they're shooting at.
6 And there're really two goals here. The first is
7 to differentiate amongst schools, which is
8 important for parents, it's important for
9 educators, and it's also important for those of us
10 who are looking to hold schools accountable for
11 their outcomes. This is also important, though,
12 for a second purpose. We're using this as a
13 performance management tool for principals. And
14 we want to set ambitious targets for them to move
15 student learning, and then we want to stick to
16 those targets and hold them accountable and
17 ourselves accountable, when they meet them. This
18 chart, which was actually published by the Times
19 after our progress reports were released, shows
20 data from the last three years of progress
21 reports. And the red bars represent the
22 distribution of scores across the system. And
23 you'll see that from 2007 to 2008, the graph moves
24 a tad to the right, which represents the fact that
25 there was some progress that occurred between '07

1
2 and '08, in terms of the scores on the progress
3 report. At the end of 2007, after we looked at
4 the data, we set cut scores for 2008 at the very
5 beginning of the year, and then we'd assign grades
6 at the end of the year based on those cut scores.
7 You'll notice here, this is what happened this
8 year. From 2008 to 2009, there was a massive
9 shift in terms of the performance of schools
10 across this chart, and things moved dramatically
11 to the right. And so you can see at the very
12 bottom, those are the cut scores. There is still
13 differentiation between schools, but schools blew
14 past the targets we set for them, which were based
15 on historical performance data. We had no way to
16 know that we were going to see those kinds of
17 gains in this year; had we had that information
18 beforehand, we probably would've set the cut
19 scores differently. But when it happened, when
20 the scores first came out, we knew we had a really
21 tough choice to make: do we break the promise we
22 made to principals, which was basically "Here's
23 your target, this is what you're shooting for, if
24 you get there you get an A"; or if we don't break
25 that promise and leave it alone, you're going to

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2 see less differentiation in the grades, and it's
3 going to raise the kinds of skeptical questions
4 that you've raised this morning. And we
5 ultimately decided that it's important to keep to
6 our commitment to the principals and really stick
7 with the targets we set for them, and recognize
8 the fact that they actually made real gains this
9 year, and that that those gains are important.
10 So, let me just share a couple slides on--well,
11 actually, this is an important slide because it
12 shows a little bit more detail on what the grades
13 have been this year. The numbers you were quoting
14 were an average. For elementary schools, the
15 number of As was slightly higher, middle schools
16 slightly lower, K-8 schools were in the middle.
17 High school data isn't available yet, although we
18 didn't see dramatic gains on regents exams or
19 credit accumulation, or grad rates, in the way
20 that we did on the state tests, and so I would
21 expect that you're not going to see the big
22 changes at the high school level that you saw at
23 the elementary level. So, here's part of why
24 we're getting these gains. Again, this is all
25 students in ELA and math, the amount of progress

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2 that they made. And so from '07 to '08, it was
3 about a three percent gain; and then there was a
4 big jump, double that, from '08 to '09. And that
5 happened both in ELA and math. In previous years,
6 we hadn't seen those kinds of gains in ELA, so
7 schools really stepped up and did much better in
8 ELA this year. And then if you look at our
9 highest need kids, the ones that we've built in
10 incentives into the progress report to serve them
11 better, we're seeing some real impressive gains
12 there for special ed kids, both in ELA and math
13 again. And then you're seeing the same gains for
14 English language learners, again in ELA and math.
15 So that says to me that yes, you know, there are
16 going to be questions about whether or not the
17 tests are as strong as they could be. But when
18 you look at different populations, what's actually
19 happening, we are seeing kids doing better, and
20 that's a testament to the work of our teachers,
21 our principals, and our families who have really
22 worked hard to get there. So, some amount of the
23 growth is testament to increase in the learning in
24 our schools, and we celebrate that achievement.
25 But there's also questions about, you know, higher

1 standards and can we make the tests more rigorous.
2 And a lot of times people talk about the NAEP test
3 which you mentioned this morning. And here's the
4 tricky thing about NAEP: it's not aligned yet to
5 New York State standards. So, we're not able to
6 hold schools accountable for it, because by law
7 under NCLB, we have to hold schools accountable
8 for the New York State standards, and the teachers
9 have to teach those standards. And what NAEP does
10 is they do a statistical sample. So they actually
11 only test about 4,300 kids in about 180 of our
12 schools, and they do that nationally, that's how
13 they do their test. And then they get results
14 based on that, and it's a little bit like a poll.
15 Our schools are under the No Child Left Behind
16 Act, so they have to work towards the standards
17 defined by New York State. Now, the good news is
18 that New York has signed up with 47 other states
19 to do this joint effort at national standards,
20 it's being led the Governors Association, and the
21 Council of Chief State School Officers. And, you
22 know, basically what they're doing is they're
23 looking nationally and internationally, they're
24 looking at NAEP and TIMSS and PISA, all these
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2 tests, and they're trying to figure out what's the
3 right set of standards? How can we make a
4 national standard that everyone can key their
5 assessments to? And they just published last a
6 month preliminary set of those standards which are
7 on a website, which I encourage you to look at,
8 because they're actually quite exciting:
9 corestandards.org. And so once those standards
10 get adopted and it looks like they will be over
11 the next couple years, and those generate new
12 tests, we're going to see a different set of
13 things that we're asking our kids to do. But
14 until that happens, we are accountable under state
15 and federal law for the standards we've got. What
16 we learned about this challenge is that it's not a
17 new challenge. Florida's been doing grading for
18 years, since 1999. The same exact thing has
19 started to happen there, and they're trying to
20 make adjustments, as well. So, as we look at
21 these reports for next year, we are exploring
22 changes in the methodology to increase the
23 stability of the grade distribution from year to
24 year. And we hope to be able to set high targets
25 for our principals and still be able to

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2 differentiate at the same time. We're going to be
3 gathering feedback as we make these decisions, and
4 we'll share information about the changes with
5 educators and the public in the coming months, as
6 we do every year. But I want to reemphasize as a
7 long time educator, that a lot has changed and the
8 conversation we're having today about
9 accountability is the right conversation. And the
10 reason we're having that conversation is because
11 of the progress reports and the accountability
12 system. One can't afford to walk away from a
13 system because it's not perfect yet. The goal is
14 to get it to be stronger and stronger. One of the
15 things you would expect to see, if the system is
16 working, is that our kids and our districts are
17 outperforming other districts in the State that
18 don't have this accountability system. And so
19 quickly, I just want to share with you some
20 information on that, because it really controls
21 for the question of "Are the state tests too
22 easy?" So this chart, which is very dense, and I
23 apologize for that, basically shows all of the
24 counties in New York State. And if you look at
25 the far left, the colored ones at the bottom are

1 the New York State Counties, beginning in 2001.
2
3 And it tracks it each year across the chart, and
4 what you see is, over time, New York counties have
5 started to move up the ladder and are performing
6 better and better each year. And Queens has moved
7 up 44 places, of example, in terms of the ranking
8 of New York State counties. The other thing
9 that's really important to look at is how much
10 growth is there? So, we would expect to see,
11 because we're measuring progress, a lot of growth
12 in our City, as compared to other places in the
13 State. These green bars at the top, again, are
14 the New York City counties. These are the only
15 counties in New York State that have seen
16 sustained growth during this period of time.
17 Every other county has seen decreases during this
18 same period of time. We also looked at it by
19 district, so we took our 32 community school
20 districts and then we looked at the next biggest
21 32 districts across the City. And there again,
22 you see that for the most part, the districts that
23 are showing improvement are New York City
24 districts, and the ones that aren't are districts
25 outside of New York City. If you go on to our

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2 next slide, one of the things we said is, "Okay,
3 well maybe because we started out lower, it's
4 easier to make progress." Let's compare the
5 starting score to where the districts ended up.
6 And this graph shows that. So, you've got the red
7 dot where people started, back in 2001, and then
8 it shows an arrow either up or down. All of the
9 red dots are New York city districts, and again,
10 at every part of the graph, our districts are
11 doing better than districts around the state. So,
12 I think what this data shows is that we are
13 actually making real progress. We looked at it in
14 terms of what are the top schools in the state?
15 And how many of those schools are in New York
16 City? And we're definitely nowhere near where
17 we'd ideally like to be, but we've doubled the
18 number of schools in the top quartile of schools
19 in the State, over this same period. So, our
20 schools, again, are steadily moving up in
21 relationship to their peers who are taking these
22 same exams. In New York City, a child entering
23 school is about as twice as likely to go to the
24 top school in 2009 as he or she was in 2002, and
25 this is real progress. The data show that our

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2 accountability system is working, and independent
3 experts agree. Columbia University professor
4 Jonah Rockoff wrote, "Although schools had only a
5 few months to respond to the release of the
6 accountability grades, we find that receipt of a
7 low grade significantly increased student
8 achievement in both subjects, with larger effects
9 in math." Our accountability system in
10 particular, our focus on progress has become a
11 model across the country and around the world.
12 Over the past two years, the education ministers
13 of Great Britain and Australia have proposed
14 national school scorecards citing New York City's
15 progress reports as a model. Los Angeles,
16 Charlotte and Denver have all instituted score
17 report cards that reflect similar qualities to our
18 progress report methodology. Chicago is also
19 working on one now. We're proud, also, that the
20 Obama Administration is shaping major components
21 of the national education policy, encouraging
22 school systems to follow our lead and develop
23 comprehensive systems to hold schools accountable.
24 And again, most of all we're proud of principals,
25 our teachers and our parents and our students,

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2 whose hard work is the foundation of our
3 achievements and the reason why so many people are
4 looking to New York City as a model for education
5 nationwide and around the world. Thank you,
6 Chairman Jackson and members of the Committee for
7 the opportunity to present this testimony, and I'd
8 be happy to discuss any questions you have now.

9 CHAIRPERSON JACKSON: Well, thank
10 you for your testimony and we look forward to the
11 dialogue, and the questions, and your responses.
12 First, we're going to turn our colleagues, those
13 that were not here at the introduction, to my
14 left, Council Member Al Vann of Brooklyn, and to
15 my right, Council Member Peter Vallone, Jr. of
16 Queens, and I mentioned earlier that Oliver
17 Koppell was here. He's in front of me. Now let
18 me turn to our colleague, James Vacca of The
19 Bronx.

20 COUNCIL MEMBER VACCA: Yes, I thank
21 you for your presentation, thank you Mr. Chairman.
22 When I see these scores, a school that scores
23 between 68 to 100 is an A school. So if you score
24 68 points out of 100, or 67 points, you are an A;
25 and 77 percent of the schools in the City are an

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2 A. Don't you think that 68 out 100 is a low
3 number? And let me phrase this in context. What
4 we have in addition to that question, which I'd
5 like you to make note of, is that there is a
6 flexible category, at least something that I see
7 as flexible, called "additional credit." Schools,
8 after you compute school environment, school
9 performance, school progress, then there is an
10 additional credit which is alluded to once or
11 twice in your testimony. You did speak verbally
12 of it. My concern is that the additional credit
13 is so discretionary, that I don't know if giving
14 those additional credits is something that makes
15 schools do better than they normally would. My
16 question is, why are we giving additional credit
17 when it appears to me that many of the things in
18 the additional credit category should be within
19 school environment, school performance or school
20 progress, which they probably are in the first
21 place? Those assessments that you're making under
22 additional credit seem to be of a nature where
23 they would appear under the other three categories
24 constituting the grade. So, I'd like to you
25 answer these questions about how these scores

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2 become the scores in the context of the two
3 questions I asked.

4 SHAEL POLAKOW-SURANSKY: Okay. So,
5 let me start with your first questions about, is
6 68 a high enough score. And I think this goes
7 back to the point I made earlier. We set those
8 cut scores based on past performance, and so last
9 year, the cut score was actually lower. It was
10 59? 54. So we raised it this year because we
11 thought, you know, schools are improving, and that
12 we wanted to raise the bar. Truthfully, if we had
13 raised it higher, we would've gotten closer to the
14 point where we were aiming to get. We did not
15 have that data when we made that decision, we only
16 had historical data to work with. And we needed
17 to set a target for principals to shoot at and
18 hold to that target. So the question is well
19 taken, and it's something that we're considering
20 as we look to next year. Let me now shift to the
21 additional credit, and I didn't, in an effort to
22 get through the testimony quickly, didn't go into
23 as much detail as I would've liked, so I'm going
24 to ask Phil Vaccaro, who leads our progress report
25 team, to explain exactly what the additional

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credit measures do, and why we have them.

PHIL VACCARO: Thank you. The purpose of the additional credit is to reward schools for helping to close the achievement gap with the highest needs students in the City. It is true that part of what we measure in the additional credit is also measured in the student progress category. However, we measure it in particular among particular groups of students that have traditionally underperformed in our City. So, we're specifically looking at special education students, English language learners, and any students that are in the lowest third citywide. We're very concerned about the achievement gap in New York City, and we want incentives for schools to close that achievement gap. So, but specifically how the progress measurement is different, it's not just a matter of looking to see did one student make one year of progress, or that they're more proficient this year than they were the previous year. We're signaling out schools that are able to show what we call, "exemplary progress" with these groups of students. What we, and how we define exemplary

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2 progress, is a year-and-a-half worth of gains, as
3 measured on the state test. So, you know, a
4 student has to go from, for example, a low level
5 two to at least a mid-level two; or a mid-level
6 two to a level three. So there has to be
7 significant progress made by these students. The
8 only way we're going to close the achievement gap,
9 the only way that we're going to get significant
10 numbers of our kids who are in these high need
11 populations to proficiency over a three or four
12 year time horizon, is to get them to make
13 exemplary progress, progress beyond what other
14 students are capable of making in a condensed time
15 period.

16 SHAEL POLAKOW-SURANSKY: [off mic]

17 I would just add [on mic] let's--

18 COUNCIL MEMBER VACCA: But I--to
19 say that you're giving those schools 15 points.

20 PHIL VACCARO: Up to 15.

21 COUNCIL MEMBER VACCA: Up to 15
22 points of extra credit, when if they get 68, they
23 are an A school. That's a lot of points to get a
24 school because they're doing what you've already
25 assessed in the other three categories. You

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2 acknowledge that. They've already done, within
3 the three first assessments, that issue of extra
4 credit is already part of the overall assessment.
5 But if they do it, they get a double assessment,
6 and that's 15 points. You know, what goes to the
7 heart of this issue is the credibility of the
8 report card when it comes to parents. And this is
9 what I am raising.

10 SHAELE POLAKOW-SURANSKY: Sure. So,
11 I hear the question, and it's definitely a
12 legitimate question. Just to be clear, though, it
13 could be up to 15 points. Hardly any schools get
14 15 points of credits. You know, you have to do
15 very well, each of the extra credit measures is
16 1.5 points. You have to do really, really well
17 with that subgroup to get that 1.5 points. And if
18 you do well on all ten of 'em, basically
19 outperforming everyone in the City with those
20 subgroups, then potentially you could get the 15
21 points, but that's an unusual thing to happen.
22 And let's just go back to the reason why we're
23 doing this. And it's important because for a long
24 time in this City, if a kid was a special ed kid,
25 or if they were an L kid, or if they came in

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2 behind, no one was trying very hard to get them to
3 proficiency or to get them to graduate. Those
4 kids were actually often neglected or put in the
5 basement. You know, it was not a place, it was
6 not, this was not a priority in our school system.
7 And we've tried to make it a priority, tried to
8 say to principals, you know, if you can make
9 significant--and this means outperforming many,
10 many other schools with these populations, you
11 deserve extra credit for that.

12 COUNCIL MEMBER VACCA: My question
13 to you truly, we're arguing assessment tools. Do
14 you believe that 77 percent of the schools in this
15 City are As? I don't think most parents believe
16 the 77 percent are As. I'm out in the community,
17 I'm sure my colleagues are. 77 percent are As?

18 SHAEL POLAKOW-SURANSKY: Yeah, I
19 mean, let me go back to this chart that I showed
20 before from the New York Times, because I think--

21 CHAIRPERSON JACKSON: Sorry, I'm
22 sorry, you can go back to the chart, but I think--

23 SHAEL POLAKOW-SURANSKY: I'm going
24 to answer the question, I just want to answer it -

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CHAIRPERSON JACKSON: Oh, okay, I just wanted to know whether or not, you know, as you said--

SHAEL POLAKOW-SURANSKY: I heard it, I heard it.

CHAIRPERSON JACKSON: --do you truly believe that 75--77 percent of the schools are As? And he's asking you as your opinion as the chief person, is either a yes or no with an explanation.

SHAEL POLAKOW-SURANSKY: Okay.

CHAIRPERSON JACKSON: So is possible you could start that way?

COUNCIL MEMBER VACCA: Am I correct--Mr. Chair, I correct my question, Mr. Chair, it's 84 percent As, I'm sorry, Mr. Chair.

CHAIRPERSON JACKSON: Okay. Is it possible, is it possible, and I know that you can give responses in so many ways, and what we're looking for is serious clarity, and transparency, and honesty, honesty. And so as a the chief, do you truly believe that 84 percent of schools are As? And if your answer is yes, then you need to explain why, in your opinion. Now, this may get

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2 you in hot water, but the bottom line is, if you
3 are a leader, you're going to stand up and say,
4 "No, I don't, and this is the reason why, but this
5 is what we're doing to make it right."

6 SHAELE POLAKOW-SURANSKY: So, the,
7 what an A represents on our progress report is how
8 much gains you made towards our target. And so 84
9 percent of the schools met the target we set for
10 them. As I said in my testimony, and if you look
11 at this chart, we did not know before the tests
12 were given how well kids were going to do in our
13 schools. The schools blew past anything that had
14 happened in previous years. And so 84 percent of
15 schools did meet those targets and we need to hold
16 to our promise and recognize the fact that they
17 made those gains. In hindsight, if we could've
18 predicted the future, we would've set the cut
19 scores differently. So those cut scores at the
20 bottom of the slide, where you see the A, B, Cs
21 and Ds, would've been moved over to the right.
22 But we didn't have the benefit of hindsight, and
23 we made a commitment to our principals when we set
24 those targets, that this is what it takes to get
25 an A. And they did get past those targets, and so

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they earned those grades.

COUNCIL MEMBER VACCA: I want to add one thing, and I will complete, I'm sorry--Mr. Chair, I--

CHAIRPERSON JACKSON: I'm sorry, too. I just was trying to seek additional clarity, if he was going to answer either yes or no, but I--he gave the same answer which he gave before, statistically, and I understand what you're saying as far as that, in essence, you set the standard, and you're not going to change the standard in the middle of the road, especially when principals are told this is the standard.

SHAEL POLAKOW-SURANSKY: Right.

CHAIRPERSON JACKSON: And so, it is what it is, based on the standard that you set.

SHAEL POLAKOW-SURANSKY: Right.

CHAIRPERSON JACKSON: And in essence, you must admit that the standards that you set was extremely low.

SHAEL POLAKOW-SURANSKY: Right, I think that--

CHAIRPERSON JACKSON: Would you agree with that?

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SHAEL POLAKOW-SURANSKY: I think that we did not predict--

CHAIRPERSON JACKSON: No, I'm sorry--

SHAEL POLAKOW-SURANSKY: --we did not predict how much gains we were going to get.

CHAIRPERSON JACKSON: I understand.

SHAEL POLAKOW-SURANSKY: We actually did raise the bar from the previous year. We were--

CHAIRPERSON JACKSON: 54 percent and I think, was it 54 percent the previous year before that?

SHAEL POLAKOW-SURANSKY: To 68. We pushed it from, it was actually 59 to 68.

CHAIRPERSON JACKSON: 59. And the year before, 54, is that correct?

SHAEL POLAKOW-SURANSKY: Right, right.

CHAIRPERSON JACKSON: Okay.

SHAEL POLAKOW-SURANSKY: And so, let me say this, you know, if you look at this distribution, you can actually see a range of scores. And so if you're really interested in

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2 figuring out, you know, of all of those As, which
3 ones are the strongest, there's a numerical score
4 on each progress report that differentiates the
5 schools from each other. And you can also see
6 within the grades performance and progress
7 separately. So if you wanted to see how are the
8 schools doing just on performance, you can see
9 that, too. I don't, I'm not here to say that our
10 work is done. We have a lot of work to do, we all
11 know that, you know, even though we've seen real
12 improvements in the schools, and many schools that
13 had been badly neglected for years and decades,
14 because no one was holding anyone accountable for
15 student learning, has started to turn around and
16 we've seen real changes. That's, we're not done--

17 COUNCIL MEMBER VACCA: No, I--

18 SHAEL POLAKOW-SURANSKY: And we're
19 going to keep raising the bar.

20 CHAIRPERSON JACKSON: Okay, one
21 second, one second, please.

22 COUNCIL MEMBER VACCA: And my
23 statements are not meant as a reflection on your
24 work.

25 CHAIRPERSON JACKSON: One second.

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2 You know, I'm really incensed at your statement
3 that no one was holding people accountable. I'm
4 telling you, I'm incensed. And let me tell you
5 why. Let me tell you why. So, and I'm going to
6 ask you, as an official of the Department of
7 Education, stop using that, "No one was holding
8 people accountable." Principals were holding
9 people accountable every single day. School
10 boards were holding people accountable every
11 single day. And as someone that was, you can sit
12 there with the little smirk on your face, but I'm
13 telling you that to say, to blanketly say, and for
14 me to sit here and not say anything would be
15 criminal, to say that no one was holding people
16 accountable. And also a statement you made
17 before, you know, and which I wrote down, you
18 said, "Now, principals are being held accountable
19 for student performance." Well, principals before
20 you came around, and you may have been in the
21 system a long time, before Mayor Bloomberg, before
22 Chancellor Joel Klein, principals were held
23 accountable. You may say, "Not to the degree that
24 they're being held accountable now," that's a
25 different story. Please don't make blanket

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statements like that. 'Cause you know, you discredit all of the work that people have done in order to hold people accountable. So, you know, let's be a little sensitive here.

MICHAEL ASHER: Councilman--

CHAIRPERSON JACKSON: That no one was holding people accountable.

MICHAEL ASHER: Councilman, I think, and obviously you have a tremendous and longstanding record of fighting for our schools, so we're not here to make blanket statements. But I think that--

CHAIRPERSON JACKSON: But--

MICHAEL ASHER: But Councilman, but I think--but I think there's a--

CHAIRPERSON JACKSON: There were blanket statements, that no one was holding anyone accountable, that the principals were not being held for student performance. That's not true.

MICHAEL ASHER: Well, unfort--

CHAIRPERSON JACKSON: And you know it!

MICHAEL ASHER: Well, there is a sad truth here. This is the 1993/1994 annual

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2 report of the New York City Board of Education.
3 It's 37 pages long and presumably it would want to
4 talk about anything worth talking about related to
5 the school system. And in this entire 37 page
6 document, there isn't one word about how well
7 students are doing in reading or math. So while
8 we can't generalize, and we can't talk about every
9 individual in the school system, there is a
10 reality that not in the too distant past, there
11 was an utterly absent concern for accountability
12 in our schools. And this is an important--

13 CHAIRPERSON JACKSON: Not true!
14 Not true! And utterly no concern? Not true!
15 There were thousands and thousands and thousands
16 of people concerned about the quality of education
17 for our children. Not true. And I asked you to
18 go back and rethink about some of the words that
19 you're using, because they incense me, when no one
20 was concerned about the children's progress; when
21 no principals were not held accountable. Come on.
22 I asked you to do that because you are degrading
23 all of the thousands and thousands and thousands
24 of people that work hard every single day.
25 Principals that work 12, 14, 15 hours a day;

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2 teachers and school aides and paraprofessionals
3 and all of those individuals; and school
4 administrators; and DOE officials like yourself.
5 Come on.

6 SHael POLAKOW-SURANSKY: Well, I
7 was one of those principals and one of those
8 teachers.

9 CHAIRPERSON JACKSON: [applause]
10 And so you worked very hard, too.

11 SHael POLAKOW-SURANSKY: And I did
12 work very hard. But I can tell you that the folks
13 who were supervising our schools did not ask us if
14 whether or not the kids were learning, and that
15 was not the focus of the conversation. Both of
16 the--

17 CHAIRPERSON JACKSON: Maybe they
18 didn't in your school.

19 SHael POLAKOW-SURANSKY: Well, I
20 mean, we--

21 CHAIRPERSON JACKSON: Because where
22 my kids went to school, they were asked.

23 SHael POLAKOW-SURANSKY: Well, I'm
24 sure if you had a good principal they were asking,
25 and that's great. But the question is, is the

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2 school system asking? Because it should not be
3 random, and it should not be up to whether or not
4 there happens to be a good teacher or a good
5 principal. Is there a systematic way that the
6 system is holding schools accountable? And that
7 did not happen. And we, you know, we can argue
8 about individual schools all day, and our own
9 personal experiences, but the system didn't do it.
10 And now it is.

11 CHAIRPERSON JACKSON: Again, I ask
12 you as the Department of Education officials, stop
13 using blanket statements like "no one was holding
14 people accountable," and that, stuff like that
15 really is a lot of lies. You can say that you're
16 having more accountability now, compared to
17 before, just like you're trying to show the
18 difference in test results compared to before.
19 Come on, that's all I'm asking you, just watch
20 your words, because I'm getting annoyed at that,
21 and I need to say that to you. Okay, I'm sorry.
22 But, I'm sorry that the fact that I'm raising my
23 voice at you, in that respect, but when you use
24 that "no one was holding people accountable," it's
25 just, I just can't accept that. Okay? So, let me

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just, let me move on to my colleague.

COUNCIL MEMBER VACCA: Can I go
back to one more question?

CHAIRPERSON JACKSON: I'm sorry, go
ahead.

COUNCIL MEMBER VACCA: No, no, Mr.
Chair, thank you. My last question is back to the
report cards and the progress reports. And with
all due respect, I think that the validity of this
is very, very important, because when parents are
told "Your child is going to an A school," or when
parents look for a school, they will want an A
school, and what constitutes an A school is now
about 84 percent of New York City. So, if that's
the reality, parents have to know that that may
not be a reality. When you, we, I have a school
in front of me, I don't want to say what school,
it's on the internet, it's a public school in New
York City. Student performance A, student
progress A, additional credit 4.5 out of 15,
overall score A. School--And then the one
category I didn't articulate was school
environment, D. Now I know it's a point system,
but school environment means school safety, the

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2 entire atmosphere in the school building. First
3 of all I question how a school with an environment
4 of D can get As in everything else. If the school
5 is not safe and there's not order and respect, and
6 everybody's doing what they want, you meant that
7 student performance and academic progress is an A?
8 Can't be. Can't be. So, this whole rubric,
9 something is wrong with this rubric, something is
10 wrong. And parents have a right to know about
11 their school. You have said that. And you're
12 giving parents the right, but this formula, part
13 of it to me is not, it's out there somewhere.

14 SHael POLAKOW-SURANSKY: Well, I
15 hear your concern, I think that the suggestion I
16 hear you making is that there should be measures
17 around safety. And the school environment
18 measures actually currently measure attendance,
19 and what parents and teachers have said about the
20 school on the survey. So, currently school
21 environment is not measuring safety.

22 COUNCIL MEMBER VACCA: Says that
23 here. It says, "safety" and your testimony says
24 safety.

25 SHael POLAKOW-SURANSKY: The safety

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2 is what parents and students say about safety, it
3 doesn't measure the number of incidents in the
4 school. So, the survey accounts for ten percent
5 of the score. And that's split between the
6 surveys from the parents and the students, and if
7 it's a--and teachers, and then five percent is on
8 attendance. So, it's a legitimate question
9 whether or not we should be looking at actual
10 safety incidents as part of that school
11 environment measure.

12 COUNCIL MEMBER VACCA: Thank you,
13 Mr. Chair, I'll relinquish the rest of the
14 questions.

15 CHAIRPERSON JACKSON: Thank you,
16 Council Member Vacca. Council Member Simcha
17 Felder of Brooklyn.

18 COUNCIL MEMBER FELDER: Thank you
19 very much. I just want to harp on Council Member
20 Vacca's questioning, and make sure that I
21 understand it. Even though you didn't read every
22 word from the 13 pages that you brought. It
23 sounds like you created some sort of measure for
24 improvement. That measure may have been small,
25 and that, and improvements are improvements no

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2 matter whether they're small or large. Is that
3 accurate to--is that accurate? In other words,
4 you--I'm going to use numbers, because I have an
5 accounting background, and it's much easier for me
6 than letters. So, for example, let's say we took
7 a student, an analogy, a student who was taking an
8 exam, who normally got a 50, and you set a goal
9 for them to improve it by ten percent for the
10 student. That means that the next exam, if the
11 student got a 55, they would've met the goal. So,
12 too, with your grading system, whatever you
13 decided that the goal would be, if that person
14 got--I'm sorry, if that school got the
15 improvement, you would have assigned an A. Is
16 that accurate? Is that a good analogy?

17 SHael POLAKOW-SURANSKY: Well,
18 yeah, if their score, which includes all of these
19 different measures we've been talking about--

20 COUNCIL MEMBER FELDER: Right.

21 SHael POLAKOW-SURANSKY: --reached
22 that threshold, then they would be assigned an A.
23 Now--

24 COUNCIL MEMBER FELDER: Right.

25 SHael POLAKOW-SURANSKY: --the

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2 question of small versus big, you know, what we
3 saw in this past year was very, very unusually big
4 gains on the state tests. And so, nothing like
5 that had ever happened since we've been giving
6 those tests. And not at all across the board at
7 every level, like we've seen this past year.

8 COUNCIL MEMBER FELDER: Yeah, but
9 I'm looking, this is on your website, am I right?

10 SHAEL POLAKOW-SURANSKY: Yes.

11 COUNCIL MEMBER FELDER: This stuff.
12 I'm looking at this, and when you have a
13 category's--what, I'll just stick to the two,
14 let's say student progress.

15 SHAEL POLAKOW-SURANSKY: Yeah.

16 COUNCIL MEMBER FELDER: Student
17 performance.

18 SHAEL POLAKOW-SURANSKY: Yeah.

19 COUNCIL MEMBER FELDER: Performance
20 was based on--? What was that based on?

21 SHAEL POLAKOW-SURANSKY: Is it an
22 elementary school? Or a middle school?

23 COUNCIL MEMBER FELDER: This one,
24 yes.

25 SHAEL POLAKOW-SURANSKY: Okay, so

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the performance is based on how many kids reach that line of proficiency, on the state tests.

COUNCIL MEMBER FELDER: Wait, who's--on the state test. So, that could be, so that may be that if there was, even if let's say the average was terrible, if this was higher than terrible, then it would be good.

SHAEL POLAKOW-SURANSKY: Well, the state test defines what proficiency is. We don't control that. And so they set those bars each year. If a kid gets to the bar that they've set for proficiency--

COUNCIL MEMBER FELDER: Excellent.

SHAEL POLAKOW-SURANSKY: --then they get credit for it.

COUNCIL MEMBER FELDER: I apologize. Which of these gages do you set?

SHAEL POLAKOW-SURANSKY: All of the data is actually based on state data.

COUNCIL MEMBER FELDER: But when it says "student progress," that's also state data.

SHAEL POLAKOW-SURANSKY: Everything is premised on student data. The metrics that we use to analyze how the school did, are our

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2 metrics. And so, for example, the metric in this
3 progress report, "Did you make a year's worth of
4 progress?" is a metric that we use based on the
5 state's data.

6 COUNCIL MEMBER FELDER: No, I'm
7 going to, I'm using my analogy again.

8 SHAEL POLAKOW-SURANSKY: Okay.

9 COUNCIL MEMBER FELDER: And I'm not
10 debating with you whether it's a, whether it's
11 good or not, I just want to understand it. Is it
12 fair to say that when you create that number, it's
13 based on what you've decided, or the goals that
14 you've set for improvement? Sometimes they may
15 be, maybe it's high goals, maybe not, but--

16 SHAEL POLAKOW-SURANSKY: Well, it's
17 actually based on historical performance, so we
18 set a range citywide. How do--what was the lowest
19 end of the range? What was the highest end of the
20 range? We take out the very bottom and the very
21 top so we don't have outliers. And then,
22 progress, those bars on the second page of the
23 report, those represent the ranges. So, if you
24 see it filled in all the way black across, it
25 means, you know, you've hit a very high end of

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2 that range. And if you see it only a little bit
3 black, then you're at the very low end of the
4 range.

5 COUNCIL MEMBER FELDER: Well--

6 SHAEL POLAKOW-SURANSKY: And
7 because it's based on historical performance, when
8 you have a year where there's dramatic gains,
9 people blow past those historical ranges.

10 COUNCIL MEMBER FELDER: So, I know
11 there are other colleagues, and the Chair has any
12 questions, and I've said many times that the Chair
13 is, has continuously been very humble because most
14 of us ask all the questions, and then if any of
15 our colleagues remain, we let them ask the
16 questions. And Chair Jackson just the opposite,
17 he lets everyone else ask all the questions. And
18 then he, he's there to ask the rest. I just want
19 to say is that generally the letter grading is a
20 much harder, I should say it's much easier to do,
21 and it always looks and sounds great. It doesn't
22 really reflect what's going on. The graph you
23 have afterwards, unless somebody really wants to
24 spend a lot of time, is a very difficult thing for
25 the average person to figure out, or spend time

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2 figuring out. So, you know, we're spending time
3 and I'll speak for myself, I always want to make
4 believe that I am smarter. And this is, I'm
5 having a hard time, so the average person has a
6 very difficult time. You know, this, for me, is--
7 isn't as, isn't as easy for an average person to
8 understand what's going on. You know, it's just
9 not an easy thing, it's not like a report card for
10 a kid.

11 SHAEEL POLAKOW-SURANSKY: Yeah, I
12 hear that, and I think that that's good feedback.
13 One of the things we've started to work on this
14 year is a report card that's specifically designed
15 for parents that's simpler, that draws from
16 elements of the data, but doesn't present all of
17 that at once. Because, some people do understand
18 it, and really want to dig into, and that's great.
19 But we do also want this to be accessible.

20 COUNCIL MEMBER FELDER: Yeah.

21 SHAEEL POLAKOW-SURANSKY: And so,
22 that's a goal we've set for ourselves.

23 COUNCIL MEMBER FELDER: And I think
24 if you try to replicate report cards for children,
25 and replicate that for the schools, it'll be a lot

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2 easier for parents to understand what's going on.
3 You use the same, try to use the same model that
4 children are bringing home to their parents, and
5 parents are able to see what's going on, what
6 happened last quarter or whatever else, and what's
7 going on. Thank you very much.

8 SHANEL POLAKOW-SURANSKY: Thank you.

9 CHAIRPERSON JACKSON: Thank you,
10 Council Member. Council Member Lew Fidler, we've
11 been joined by Council Member John Liu of
12 Brooklyn. Of Queens, I'm sorry. Council Member
13 Fidler. And Domenic Recchia, of Brooklyn.

14 COUNCIL MEMBER FIDLER: You were
15 from Brooklyn the other night, John, so be
16 careful. First I want to apologize for coming to
17 class late today. And I have done my best to
18 quickly read through your testimony. We've had
19 this conversation about progress report cards
20 before, and I have likened them to fantasy
21 baseball: an attempt to quantify in a single
22 score a weighted group of categories to reflect
23 actual performance. And then my position is that
24 fantasy baseball does a much better job than the
25 progress report cards do, much more accurate.

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2 And, you know, quite frankly, I would ask you the
3 general question of what is the value of all this?
4 And coming to the table after having had a high
5 school in my district get a B on its progress
6 report card, and then be closed by the chancellor
7 and split up into small schools three months
8 later. What's the point of all this? And you
9 know, I'll just, we'll tell you this anecdote, and
10 then I will ask you to actually answer that
11 question for me. You know, when I was in law
12 school, a colleague of mine got a C on a final
13 exam. And not that he cared so much about grades,
14 but he wanted to know what he, what was missing
15 from his test, and he brought it back to his
16 teacher, and the professor, and she reread the
17 exam and looked at him and said, "So, what'd you
18 get, an A?" and he goes, "No, I got a C. If I had
19 gotten an A I wouldn't be asking you what was
20 missing." And she looked at him and said, "Well,
21 I guess that just goes to show you how arbitrary
22 grades are." What's the value of all this? Why
23 should anyone care?

24 SHAEEL POLAKOW-SURANSKY: So, I
25 think that the goal here, the reason why we're all

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2 here, is because we actually want to see kids
3 learn more. And one of the things that has
4 happened for decades in our system is that schools
5 have been neglected, and there's been a lack of
6 oversight and a lack of accountability from a
7 systemic level. And so, the core goal here is to
8 introduce a system of accountability that focuses
9 principals and teachers on student learning. And
10 we have seen dramatic gains in student learning
11 over the course of the past few years, since we
12 introduced these measures. And so, we believe
13 that there's a connection, that if schools
14 understand that they're not there to just check
15 off boxes on reports for the bureaucracy, but
16 they're actually, the core goal of a principal is
17 to make sure every single kid in their school, the
18 kids who are their weakest kids and the kids who
19 are their strongest kids are all learning. And
20 that there are incentives built in to the system
21 that push on that, that more kids are going to
22 learn more. And so that's really the core goal.
23 Now, your question about the school closure is a
24 good question. A lot of times people think that
25 the closing of a school is a simple, straight

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2 line. There can be a lot of different factors
3 that the chancellor takes into account before they
4 make a decision to close a school. Part of it is
5 their achievement data, part of it is the
6 enrollment data--

7 COUNCIL MEMBER FIDLER: But the
8 achievement data is part of your progress report,
9 and so the school gets a B. If it's so all fired
10 important, how do you close the school three
11 months later?

12 SHAEL POLAKOW-SURANSKY: Which
13 school are you talking about?

14 COUNCIL MEMBER FIDLER: I'm talking
15 about Tilden High School.

16 SHAEL POLAKOW-SURANSKY: So, I
17 think that--I'm not personally making those
18 decisions, but what I can tell you is, there's
19 about five different things that go into the
20 decisions. There's a look at what's happening in
21 terms of the environment inside of the school, as
22 a--

23 COUNCIL MEMBER FIDLER: As part of
24 the progress report card, too, right? That's 25
25 percent or something, right?

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SHAEL POLAKOW-SURANSKY: It's, the school--

COUNCIL MEMBER FIDLER: I mean, it's all is supposed--if there is an actual connection to reality, between this fantasy score, okay. You've just, every factor you've just mentioned is weighted into the progress report card. So what does it mean? What does it mean? If the factors that go into whether or not this school is succeeding enough to keep it open, are all factored into this report card, and they get a B, and then someone decides, "Eh, it's not that important, the B doesn't really reflect reality, because this school is failing," why are we doing this?

SHAEL POLAKOW-SURANSKY: It's one component of the decision, is what I'm saying.

COUNCIL MEMBER FIDLER: Yes, but you're telling them what the other components are, and they're all factored into the score of the report card, are they not? You know, just like my fantasy baseball score, how many home runs my team had, how many RBIs, how many stolen bases. You know, you can't tell me, I got, you know, I'm in

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2 first place in my fantasy league, but my team
3 stinks because I don't have enough wins. I mean,
4 you know, it just doesn't work that way.

5 SHAEL POLAKOW-SURANSKY: So, I
6 don't have the data right in from of me that was
7 used to make the decision on Tilden, so I can't
8 actually tell you what weight was given to what.
9 But I do know that the way it works, because I
10 have been involved in other decisions, is that
11 people spend a lot of time at the school and they
12 look at what's happening on the ground, they look
13 at the progress report, they look at enrollment
14 data, they look at crime data, they look at what's
15 happening between teachers and the administration,
16 and any number of things--

17 COUNCIL MEMBER FIDLER: So, let me
18 stop you for a second. So, if what's happening on
19 the ground is not reflected in the progress
20 report, what's the value of the progress report?
21 If you're telling me that going and looking and
22 making an independent evaluation of seeing what's
23 really happening in a school is not reflected in
24 the progress report grade, what's the value?
25 Alright, and every factor that you just mentioned,

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which you would, I guess, if you're talking about whether or not you're going to keep a school open or closed, should, is an important factor, which one of them is not reflected in the progress report? And if not, why not?

SHAEL POLAKOW-SURANSKY: We were just looking up, and we may need to come back to you on this, but according to what we have in our records, Tilden didn't receive a B.

COUNCIL MEMBER FIDLER: That's absolutely not true, the Chancellor was sitting here in that chair, I had the progress report in my hand, the year that Tilden was closed they got a B. It's not in my district, but it's my alma mater, I was there when we fought the closing. There is abso--I don't care what's on your website, I had the progress report. And if I had realized it was going to come up today, I would've brought it with me. Tilden got a B. And the Chancellor defended closing the school and acknowledged it got a B.

SHAEL POLAKOW-SURANSKY: What did he say?

COUNCIL MEMBER FIDLER: Well, you

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2 should ask him. It didn't--the answer he gave
3 obviously didn't satisfy me. I'm not asking you
4 so much about Tilden today, because the Tilden
5 issue is unfortunately dead and buried, and I'm
6 sure you're coming for Sheepshead Bay High School
7 next. Alright? I have no doubt about it, the day
8 you closed Canarsie, I said you were coming for
9 Sheepshead next, 'cause you wouldn't have the
10 chutzpah to come for Madison, Midwood or Murrow.
11 Alright, but I know you want to close all the big
12 high schools, I know that's your policy, and I
13 know Sheepshead's next on the list. I have no
14 doubt about it. I predicted it here before, I
15 predict it here again, and the papers are talking
16 about it now as if it's a fait accompli. Alright,
17 unfortunately the principal hasn't been told yet.
18 I'm not here to talk about Tilden, I'm here to
19 talk about progress report cards, and I'm using it
20 as an example of why they are meaningless, because
21 you will ignore them when it suits your interest.
22 But if they're important, tell me, what factor was
23 missing from the Tilden progress report card that
24 wasn't reflected? And if it was missing, why
25 isn't it in this progress report card, so that I

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2 can know that they actually--maybe I'm wrong,
3 maybe they do have some meaning.

4 SHAEL POLAKOW-SURANSKY: So, I
5 actually don't know enough about Tilden High
6 School to give you a real answer, but I can tell
7 you that when we close a school, there's a real
8 thorough look because it's a big decision. And
9 it's not going to be made based on purely what
10 last year's data was, it looks at data over the
11 past several years, it looks at what's happening
12 inside of the school, it looks at what is
13 happening in terms of enrollment, it looks at
14 crime incidents. And there's a real thoughtful
15 process that goes into that, it also involves
16 conversations with the unions, it involves
17 conversations with staff inside the school, and
18 other community members. And so there are going
19 to be some tough decisions along the way. I
20 wouldn't characterize the policy of the department
21 to close all the large high schools, that
22 certainly is not what we're after. But we do
23 actually want to look for places where kids aren't
24 learning enough, and where they aren't in a good
25 environment, and give other educators an

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2 opportunity to take a shot at doing better. And
3 so, I mean, we'll have to see how that plays out
4 at Tilden over the next few years, because I'm
5 sure that there's a lot of changes going on there
6 now. I know that I was involved in one of these
7 personally, one of the closures up in The Bronx,
8 at Morris High School. It was a school that was
9 taking in about 600 kids a year and graduating
10 about 70 kids a year.

11 COUNCIL MEMBER FIDLER: What was
12 their grade on the progress report card?

13 SHAEL POLAKOW-SURANSKY: This was
14 before the progress report existed.

15 COUNCIL MEMBER FIDLER: Oh, okay.

16 SHAEL POLAKOW-SURANSKY: And it was
17 a place where when you walked into the classrooms,
18 there was a deadness, you know. Kids were bored,
19 teachers were bored, no one was really engaged in
20 learning. And so, if you go to Morris High School
21 today, it's a very lively place, it's not perfect
22 by any means, but the graduation rate there is now
23 in the upper 70s across the schools.

24 COUNCIL MEMBER FIDLER: You know, I
25 don't mean to interrupt you, 'cause we're not here

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2 to debate the policy of closing the big high
3 schools and making them little schools, 'cause
4 that's a whole 'nother hearing, and a whole--

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SHAEL POLAKOW-SURANSKY: Okay.

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COUNCIL MEMBER FIDLER: --'nother
7 big disagreement that you and I will have. I
8 think you've destroyed the concept of neighborhood
9 high schools, and I just wish that if you had a
10 school that was not performing up to standards,
11 instead of ripping it apart and giving it a
12 different name, and creaming students, alright, if
13 you just tried to fix the school. Alright, that
14 would work for me. Alright, so let's not, let's
15 not debate that point. I'm just trying to get to
16 what's not in the progress report card, that is of
17 merit and value, that would allow--Now, 'cause,
18 because if a school can get a B and be closed,
19 then there's something missing in the formula,
20 right? So, I mean, either that or the progress
21 report card really doesn't mean anything. So it's
22 got to be one or the other. Can't be both. And
23 that's the point. Alright? Now--

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SHAEL POLAKOW-SURANSKY: I hear

25

your point, and I--

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2 COUNCIL MEMBER FIDLER: And we're
3 not going to beat the dead horse anymore.

4 SHAEL POLAKOW-SURANSKY: Yeah, I
5 wish I could respond in real detail to you.

6 COUNCIL MEMBER FIDLER: Yeah, well.

7 SHAEL POLAKOW-SURANSKY: But, and I
8 would also say that--

9 COUNCIL MEMBER FIDLER: Me, too.

10 [laughs]

11 SHAEL POLAKOW-SURANSKY: --you
12 know, this is a system that's not perfect yet, and
13 I've acknowledged that several times.

14 COUNCIL MEMBER FIDLER: Well, I--

15 SHAEL POLAKOW-SURANSKY: Which is
16 why we don't only use the progress report as the
17 way to make those decisions. And again, like you
18 can work forever to get the perfect system and not
19 introduce any accountability for teachers and
20 parents and kids, or you can say, "You know what,
21 we're going to do the best we can," and as we find
22 places where there are weak spots, we'll improve
23 it.

24 COUNCIL MEMBER FIDLER: Sir, I
25 would say that false accountability and false

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2 measures of accountability are worse than having
3 no accountability at all. I agree with the
4 chairman that there was accountability, it wasn't
5 measured in this way, that seems to be especially
6 in an election year self-congratulatory. And I
7 would ask you, is it true, I mean, someone
8 whispered in my ear that every middle school in
9 the City of New York got an A?

10 SHAEEL POLAKOW-SURANSKY: No, that's
11 not true.

12 COUNCIL MEMBER FIDLER: It's not
13 true? How many? What percentage of the middle
14 schools got As?

15 SHAEEL POLAKOW-SURANSKY: 77
16 percent, I think.

17 COUNCIL MEMBER FIDLER: 77 percent?
18 And 84 percent of all schools--

19 SHAEEL POLAKOW-SURANSKY: 78
20 percent.

21 COUNCIL MEMBER FIDLER: 78. And 84
22 percent of all schools in the City got an A?

23 SHAEEL POLAKOW-SURANSKY: No, we
24 actually don't have a number for all the schools
25 'cause the high school reports haven't come out

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yet.

COUNCIL MEMBER FIDLER: 84 percent-

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SHAEL POLAKOW-SURANSKY: 84 percent

of the--

COUNCIL MEMBER FIDLER: --of the

non-high schools in the City got As?

SHAEL POLAKOW-SURANSKY: The

elementary and middle schools, yes.

COUNCIL MEMBER FIDLER: I mean, you

know, this Council is funding a middle school initiative because we felt that the quality of the education being offered to middle school students was subpar, and needed help, and needed financial help. And 78 percent--maybe we should pull that money, you don't need it any more. 78 percent are As. I don't know anybody with a child in middle school who would believe that.

SHAEL POLAKOW-SURANSKY: Well, I

think that what's impressive about what happened in the middle schools, for the first time we saw on the eighth grade tests real gains, and maybe it's as a result of some of the resources that the City Council has been spending, but we actually--

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2 COUNCIL MEMBER FIDLER: I'll take
3 that as a--I'll take that to say "You're welcome."
4 [laughter]

5 SHAEL POLAKOW-SURANSKY: Yeah, I
6 mean, we actually have some good news there at the
7 eighth grade level. We had seen for years and
8 years pretty flat scores, and this year we saw
9 some real gains. And that's what that's
10 reflecting.

11 COUNCIL MEMBER FIDLER: Now, let's
12 go to testing for one second, I, I hope I find a
13 line questioning--

14 SHAEL POLAKOW-SURANSKY: Yeah.

15 COUNCIL MEMBER FIDLER: Because
16 there are a lot of us who believe that the test
17 scores themselves are a fraud. That they do not
18 reflect an increase in learning in our schools,
19 they reflect an increase in emphasis on the test.
20 I mean, I'm sure that's not the first time you've
21 heard that comment. And there was an article in
22 today's post, and it was handed, I've seen it
23 briefly this morning, and it was handed to me
24 while I was asking a question, so if I jump to the
25 wrong paragraph, I apologize. This is, "New York

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2 and most other states set their benchmarks for
3 student proficiency in math and reading well below
4 those of the gold standard national test. The
5 report by the National Center for Educational
6 Statistics, which compared state testing standards
7 between 2005/2007, provides additional ammunition
8 to critics who charge that New York has set the
9 passing bar too low on annual math and reading
10 tests, which students have been acing, an
11 increased frequency in recent years." That's what
12 your progress reports measure. Right? The state
13 standards, the state officials have already
14 committed to raising the passing bar and
15 difficulty of next year's tests. So, are we going
16 to see next year a huge, I mean I assume the tests
17 are going to get more difficult, the scores are
18 probably going to drop, the passing bar is going
19 to be higher and harder to reach. Are we going to
20 see 80 percent of our schools next year with Cs
21 and Ds because of the one year drop in test
22 scores?

23 SHANEL POLAKOW-SURANSKY: That's one
24 of the questions that we're looking closely at.
25 We are working with the State to understand how

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2 they're calibrating their new standards. There
3 are a couple of changes that are happening. One
4 is that they're moving the tests to the end of the
5 year, so they're actually going to test more
6 content. Before they were in January and March,
7 and now they're going to be in late April and
8 early May. And they've also made a commitment to
9 increase the level of rigor, which is something
10 that we applaud and we think is an important
11 commitment, and you know, earlier I talked about
12 there's a broader movement nationally to look at
13 new standards for math and English across the
14 country, and try and get a common standard that
15 every state can use. That article goes on to talk
16 about how New York State standards rank in
17 relation to the other states.

18 COUNCIL MEMBER FIDLER: 32nd and
19 15th, depending on the test.

20 SHael POLAKOW-SURANSKY: Well, 32nd
21 for--

22 COUNCIL MEMBER FIDLER: In math.

23 SHael POLAKOW-SURANSKY: --for the
24 fourth grade math test; 18th for the eighth grade
25 math test; and 15th for the fourth grade ELA.

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2 COUNCIL MEMBER FIDLER: That's
3 always leading - -

4 SHAEL POLAKOW-SURANSKY: And 8th for
5 the eighth grade ELA. So, obviously, in fourth
6 grade math, they think that our standards are too
7 low; in eight grade, you know, math, they're up
8 there. And so it depends, and this is, this was a
9 problem nationally. And so we would heartily
10 support seeing some national standards and
11 increasing the level of rigor. And we are, you
12 know, as we're designing the progress reports for
13 the coming year, going to take into account these
14 changes.

15 COUNCIL MEMBER FIDLER: I'll bet
16 you are, and my final comment will be that if you,
17 if these tests are made more difficult, I, and
18 assuming, and I won't be partisan in this room,
19 assuming the same people are making educational
20 policy in the City next year as are today, and I
21 frankly hope not, you will find a way to adjust
22 the progress report cards so as not to be giving
23 out Cs and Ds in large numbers because the test
24 scores have gone down. You will find a way to
25 jigger this formula to make people feel good, that

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2 they'll be plenty of As, and make these progress
3 reports even more meaningless than they are today.
4 I wish that we could just drop this nonsense, find
5 a more individualized way for you to hold people
6 accountable in your system, and do what we all
7 need, we all know needs to be done: find a way to
8 reduce class size and to teach, just teach. Don't
9 teach for the test, just teach.

10 SHAEL POLAKOW-SURANSKY: Well, as a
11 former teacher, I agree with the goal that we want
12 to teach our students, and I think that there's
13 definitely been a lot of research around the
14 question of class size and we don't see any
15 correlation between class size and the student
16 achievement rate so far. Our goal is not to make
17 people feel good, our goal is to actually create a
18 system where folks are held accountable. And if
19 you'd been here earlier, what I said was--

20 COUNCIL MEMBER FIDLER: I'll be
21 accountable for being late. I'll take that.

22 SHAEL POLAKOW-SURANSKY: Yeah, but
23 what I said was, you know, we faced a really tough
24 decision, because when the State test scores came
25 out, we knew that we were going to have less

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2 differentiation in the grades, but we wanted to
3 hold to the commitment we had made to the
4 educators in the system who were shooting at those
5 targets. And as a former principal, I wouldn't
6 have wanted to see the game change in the middle
7 of the game. So, you know, we're doing our best
8 and if you have ideas to get us to a more
9 individualized system, we'd welcome them.

10 COUNCIL MEMBER FIDLER: Well, my
11 idea would be that in a year when we cut over \$300
12 million of funding for classrooms, that the money
13 we're spending on progress report cards would be
14 better spent in the classroom.

15 CHAIRPERSON JACKSON: Thank you,
16 Council Member. Council Member Domenic Recchia of
17 Brooklyn.

18 COUNCIL MEMBER RECCHIA: Yes, good
19 morning. My question as Chairman of the Cultural
20 Affairs Committee, where in this for the points,
21 for the arts in the schools.

22 SHAEL POLAKOW-SURANSKY: There's
23 not a specific measure on the progress report for
24 arts in the quality review. One of the things we
25 look at is the curriculum, and included in the

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look at the curriculum, we look at arts. But there's not a specific arts. And Phil just reminded me that there are some questions in the survey, that--

COUNCIL MEMBER RECCHIA: Yeah, one or two.

SHAEL POLAKOW-SURANSKY: Yeah. But it, that isn't in there as a core component. It is in the quality review.

COUNCIL MEMBER RECCHIA: You know, many--many kids wake up to go to school for that art class, for that drama class. It's not all about reading, writing and arithmetic. And I just think what you're doing here is taking away what's important to my community. Okay? All my schools have music programs and art programs, 'cause it's important to the community, and it's important to me, and to many educators across the country. And for you just to ignore it, that's what you're doing. You're saying, "Art's not important, drama's not important, theater--" you know what? Keep those kids in a room all day, and we're going to bang them up and make sure they know the math and the reading and forget about everything else.

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So I want to know, and you talk about obesity in schools. Where is this report card talk about what you're doing in phys ed?

SHAEL POLAKOW-SURANSKY: So, I was part of a team that founded a school that was focused on the arts--

COUNCIL MEMBER RECCHIA: I don't want to know about you and what you founded. I want to know about this report card, where it talks about phys ed.

SHAEL POLAKOW-SURANSKY: Okay, well let me first respond to your arts point, and then I'll talk to the phys ed point.

CHAIRPERSON JACKSON: One second, can you please put up slide number six, if you don't mind, because that's what he's referring to.

SHAEL POLAKOW-SURANSKY: Okay.

CHAIRPERSON JACKSON: Okay, thank you.

SHAEL POLAKOW-SURANSKY: So, on the question of arts, I actually don't think that most of our schools have stopped teaching arts as a result of this. And we do keep data that's public on our website for each school about the arts

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2 programs that are offered in each school. And
3 actually if you are interested, we could go, it's
4 called the Arts Count Survey.

5 COUNCIL MEMBER RECCHIA: Listen.
6 Interested is not the word. I developed, we
7 developed in the City Council an arts program
8 because the Department of Ed was lacking in the
9 arts in the schools. So don't tell me you could
10 look up--I know all about it. Okay, and I know
11 what's lacking, 'cause we had to put millions of
12 dollars into art programs in schools because the
13 Department of Ed did not. What I'm saying here is
14 that where? How much, how many points is it for
15 arts education?

16 SHAEL POLAKOW-SURANSKY: So--

17 COUNCIL MEMBER RECCHIA: I don't
18 see it on here.

19 SHAEL POLAKOW-SURANSKY: So, let me
20 just be clear. The point of the progress report
21 is to measure student achievement. It's not
22 measuring everything, it doesn't intend to measure
23 everything. There are other measures in the
24 system that look at the issues that you're
25 raising. And principals are asked to look at

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those questions. But, the belief set here--

COUNCIL MEMBER RECCHIA: So, but
what you're saying here--

SHAEL POLAKOW-SURANSKY: - - excuse
me, let me finish. Well, the belief set here is
that principals actually can make really good
decisions based on the needs of their kids and
their teachers and their community. And that they
will put an emphasis on those things that are
important to that community. And they have
control over their budgets, and we have a lot of
very powerful arts partnerships and arts programs
and arts focused schools. So I wouldn't say at
all that there's any evidence to be seen that arts
are not being taken care of the schools, or
fitness for that matter, which is something that's
tracked as part of our compliance survey. The
fitness-gram that we do our phys ed office is
something that every principal is accountable for
tracking as part of our compliance metrics.

COUNCIL MEMBER RECCHIA: But you
keep on saying "The principal's responsible, the
principal wants to do with the community," and you
know what the principals are telling the parents?

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2 They're saying, "I understand you, I hear you, I
3 wish I could put these art programs in, I wish I
4 could put these phys ed programs in, but I can't
5 because it doesn't count on the progress report."
6 What you are doing to principals are putting them
7 under immense pressure where they have to decide,
8 for the best interests of my school or what the
9 Chancellor wants. That's what you are doing.
10 Come to my district, and I will show you, I will
11 show you how you are destroying the arts and phys
12 ed in schools; how because it's not important,
13 because it's all about the progress report.
14 Because like I said, if you don't do good on the
15 progress report, and the quality review, you're
16 going to get closed down. And they're constantly
17 being threatened. And these principals, it's not
18 fair. So what you're saying here today is that on
19 the progress report, the arts, phys ed, it doesn't
20 matter. That's what you're saying here today,
21 because it doesn't have any points. Am I correct?

22 SHAEEL POLAKOW-SURANSKY: Well,
23 first of all, I'd love to come to your district.
24 We do visit every single school as part of the
25 quality review, which is part of the principal's

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2 evaluation. And within the quality review, we
3 look at the curriculum, and arts is part of that
4 look. So, it's not that we aren't looking at
5 that.

6 COUNCIL MEMBER RECCHIA: Minor,
7 minor. It is--

8 SHAEL POLAKOW-SURANSKY: Well, I
9 mean--

10 COUNCIL MEMBER RECCHIA: --
11 miniscule. Believe me, I meet with my principals,
12 I talk to my principals, okay I am actively
13 involved. Okay? And when I'm--if you really want
14 to give, if you really want to do a good report
15 card, I could tell you, believe me, I'd give you
16 advice. And my kids go to public school. Okay?
17 I'm not elected official who says one thing, then
18 sends my kid to private schools. I send my kids
19 to the public schools 'cause I believe in the
20 public schools education. I believe in what my
21 district could do. And all I'm just telling you
22 is that parents, okay, are misguided and misled,
23 and they want to know, okay, about everything.
24 And you're not giving it to them. I have no
25 further questions.

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CHAIRPERSON JACKSON: Thank you.

Council Member Oliver Koppell of The Bronx.

COUNCIL MEMBER KOPPELL: Thank you, Chairman. I would like to understand, I hear a lot about the, you know, the teaching to the test, and I hear a lot of complaints about that both from colleagues and people in the schools. But I want to understand exactly how much time is taken up by these tests. So, we test--fourth and eighth grade are where the benchmark tests are basically done. Is that correct?

SHAEL POLAKOW-SURANSKY: Actually, now, kids at each grade, three through eight, take a test every year. The tests happen now in the spring for the first time this year, in April and May. And so there's a testing window where schools give the test in ELA and then in math.

COUNCIL MEMBER KOPPELL: Is there a separate state test and federal test?

SHAEL POLAKOW-SURANSKY: No. No, there's a NAEP test, which is what we were talking about earlier, which is sort of like a poll, that it samples. There are 4,000 students across the City who took that out of our 1.1 million

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students. But most students don't take that test.
Basically, all--

COUNCIL MEMBER KOPPELL: Thought
the test - -

SHAEL POLAKOW-SURANSKY: All the
kids are taking the state tests that are required
by--

COUNCIL MEMBER KOPPELL: Do I take
it, what you're say--there was a lot of criticism
lately because the federal tests didn't show a lot
of progress, as opposed to the state tests which
showed a remarkable degree of progress.

SHAEL POLAKOW-SURANSKY: Right.

COUNCIL MEMBER KOPPELL: Are you
saying that that federal test was based on only
4,000 kids?

SHAEL POLAKOW-SURANSKY: 4,300
kids.

COUNCIL MEMBER KOPPELL: So, and
the state test was based on--

SHAEL POLAKOW-SURANSKY: Every
single--

COUNCIL MEMBER KOPPELL: All the
kids in fourth and eighth grade.

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2 SHAEL POLAKOW-SURANSKY: --every
3 single--No, every single third, fourth, fifth,
4 sixth, seventh, eighth.

5 COUNCIL MEMBER KOPPELL: All
6 through.

7 SHAEL POLAKOW-SURANSKY: Yeah.

8 COUNCIL MEMBER KOPPELL: That's
9 what the state test showed.

10 SHAEL POLAKOW-SURANSKY: Yeah,
11 that's what the state requires.

12 COUNCIL MEMBER KOPPELL: And is it
13 one state test that they take?

14 SHAEL POLAKOW-SURANSKY: They take
15 one test in ELA and math, and then they also, in
16 fourth and eighth grade, take a social studies and
17 a science test. But in ELA and math, it's third
18 through eighth grade, all grades; and social
19 studies and science it's just fourth and eighth
20 grades.

21 COUNCIL MEMBER KOPPELL: Okay, so
22 in the ELA and math, let's focus on that.

23 SHAEL POLAKOW-SURANSKY: Yeah.

24 COUNCIL MEMBER KOPPELL: I have a
25 child who's in the, let's say the fourth grade.

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SHAEL POLAKOW-SURANSKY: Yeah.

COUNCIL MEMBER KOPPELL: How many tests can they expect to take for these, for the, if you will, the progress report?

SHAEL POLAKOW-SURANSKY: Two.

COUNCIL MEMBER KOPPELL: Which two are they?

SHAEL POLAKOW-SURANSKY: ELA and math.

COUNCIL MEMBER KOPPELL: One ELA and one math, or two of each?

SHAEL POLAKOW-SURANSKY: One of each.

MICHAEL ASHER: But Council Member, just important to note that they're not taking any test as a result of the progress report, these are all mandates from the state.

COUNCIL MEMBER KOPPELL: No, no, I understand that, but the progress report is based on them taking these tests.

SHAEL POLAKOW-SURANSKY: Correct.

COUNCIL MEMBER KOPPELL: Not other tests, just these tests.

SHAEL POLAKOW-SURANSKY: Right.

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COUNCIL MEMBER KOPPELL: At least to the extent that it reflects test results.

SHAEL POLAKOW-SURANSKY: Correct.

COUNCIL MEMBER KOPPELL: I mean, there are other measures, I understand that.

SHAEL POLAKOW-SURANSKY: Correct.

COUNCIL MEMBER KOPPELL: But to the extent it reflects test results, it's one test in math and one test in English, each year.

SHAEL POLAKOW-SURANSKY: Yep.

COUNCIL MEMBER KOPPELL: Okay. Mr. Chairman, I don't want to make this into a lengthy debate, but I think it's important for my colleagues and for you and the staff to know--

CHAIRPERSON JACKSON: Speak into the mic. Go ahead.

COUNCIL MEMBER KOPPELL: I just think it's important, because of points made in the context of questioning, myself and my colleagues, that I, and I've had a fair amount of experience with this, as you know I was the president of a school board for three years.

CHAIRPERSON JACKSON: School Board Ten, in The Bronx.

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2 COUNCIL MEMBER KOPPELL: School
3 Board Ten in The Bronx. And we had a very average
4 district, we showed good progress when I was
5 there. I do not disagree--I agree with testing, I
6 happen to think, my colleague Council Member
7 Recchia is right, that there should be more
8 recognition given to arts education and physical
9 education, 'cause I think those are important
10 components. And they definitely reflect on
11 whether it's a good school or not. If you have a
12 school where everybody gets a hundred in both
13 tests, ELA and math, but there's no music and no
14 art, that school in my opinion shouldn't get an A.
15 Just shouldn't, even though everybody's getting
16 100. Maybe it should get an A in math and
17 reading, but not an A as a school. So, I do want
18 to say that. But I fully agree with testing on a
19 regular basis, and if it's one test that they take
20 each year, that's certainly not excessive. In
21 fact, when I was president of the school board, I
22 think we insist--I know we had at least two, I
23 think we had three, that we insisted on every kid
24 taking. And I believe that you cannot have
25 accountability if you don't have uniform

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2 standards. You cannot have accountability. So,
3 Mr. Chairman, I just want to say, that I do not
4 disagree with a testing regimen. If kids were
5 taking a test every month, I wouldn't favor that.
6 But taking one test a year, to measure progress in
7 these critical areas--You're not an educated
8 person if you don't know how to write and read,
9 and you're really not an educated person if you
10 don't know elementary mathematics. I fully agree
11 with what you're doing in that regard. That
12 doesn't mean I necessarily agree with everything
13 about the report card. Mr. Chairman, I want to
14 express that view, because I hear, I think I hear
15 other views, maybe not. I don't want to
16 characterize it. But I just don't want, I do not
17 want to have you come here and tell me, "Well,
18 we've abolished these tests" in terms of a measure
19 of accountability.

20 SHANEL POLAKOW-SURANSKY: Thank you.

21 CHAIRPERSON JACKSON: Thank you,
22 Council Member. I don't think that anyone say--
23 I'm not hearing to abolish tests. But what I'm
24 constantly hearing overall as the Chair of the
25 Education Committee, is that we're spending too

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2 much time "teaching to the test," instead of
3 teaching our children in order to learn to read,
4 to express themselves, and to other forms of
5 learning through other vehicles, such as art,
6 through music, through recreation and other means,
7 rather than focusing so much time and energy on
8 testing and test preparation. That's what I'm
9 hearing overall. Not only here, but also out in
10 the field.

11 COUNCIL MEMBER FIDLER: Thank you,
12 Mr. Chair.

13 COUNCIL MEMBER KOPPELL: I hear a
14 lot of that, too, Mr. Chairman.

15 CHAIRPERSON JACKSON: Right.

16 COUNCIL MEMBER KOPPELL: And some
17 of it I agree with and some of it I don't.

18 CHAIRPERSON JACKSON: Okay. And
19 that's individuality.

20 SHAEEL POLAKOW-SURANSKY: Can I just
21 say something on the test preparation question?

22 CHAIRPERSON JACKSON: Sure, go
23 ahead, please.

24 SHAEEL POLAKOW-SURANSKY: So, I
25 would hope that we aren't seeing people just doing

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2 sort of crude test prep. You know, the theory
3 here is that if the State defines a set of
4 standards that are important things for kids to
5 learn, and teachers understand what those learning
6 standards are, and the tests measure whether kids
7 have learned those things, then if teachers are
8 working with kids on meeting those learning
9 standards, that's actually a very valuable thing
10 to be doing, and you can do that in very creative
11 ways. And one of the reasons why it's important
12 to recognize that this is a two step
13 accountability system, there's the progress report
14 and the quality review. One of the things we look
15 closely at in the quality review is what is the
16 level of student engagement? Are there higher
17 order critical thinking skills and other kinds of
18 skills being taught on the curriculum? Are there
19 enough supports for teachers in order to help them
20 learn to be better? And so, you know, this isn't
21 about trying to produce a situation where the
22 curriculum is just about, "How do I get this point
23 on the test?" It's about actually trying to
24 diagnose where a kid's struggling, what are, what
25 don't they know, what do they know? And how can

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2 we actually work with our staff to fill in those
3 gaps and push kids to learn the things that they
4 need to be successful?

5 MICHAEL ASHER: Mr. Chairman and
6 Councilman Fidler, if I could just revisit, and
7 not to belabor the point, but I just wanted to
8 clarify the question about Tilden which had been
9 raised previously. In fact, Tilden High School
10 never received a progress report grade. [off mic
11 comment] No, no let me--Mr. Fidler, let me
12 explain. The decision to phase out the school was
13 made before we had implemented the progress
14 reports, and it's--And in fact they did not
15 receive a progress report grade. What they did
16 receive was a quality review, which is another way
17 that we evaluate schools, we still do it. But
18 Tilden, and they did not receive the worst grade
19 in that regard, they received proficient, which is
20 sort of in the middle. But they never in fact
21 received a progress report grade. So I just
22 wanted to clarify that for the record.

23 CHAIRPERSON JACKSON: Okay, now I'm
24 going to let this pit-bull loose. Lew Fidler.

25 COUNCIL MEMBER FIDLER: That's

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2 simply not true. You may have made, I suspect you
3 made the decision to phase out Tilden long before
4 you told us, and long before you told Tilden, but
5 there was both a quality review and a progress
6 report grade. I'm aware that the quality review
7 was not as high as the progress report grade,
8 alright, but I had the progress report grade in my
9 hand. The Chancellor sat here, we can go to the
10 videotape if you can find it, sat here and
11 defended closing the school even though he
12 acknowledged it got a B. It's a fact. It is a
13 fact. Alright? And unfortunately, there's
14 probably truth to your statement, you probably did
15 decide to close the school long before you did the
16 progress report card, and you just didn't tell
17 anybody.

18 MICHAEL ASHER: We just, I think we
19 just have a fundamental disagreement on the facts
20 and the history, but we should--

21 COUNCIL MEMBER FIDLER: [off mic]
22 Yes, we do.

23 MICHAEL ASHER: --we should, I
24 suppose, follow up on that. Thank you.

25 CHAIRPERSON JACKSON: Well, to be

1
2 continued for sure. [laughter] But let me--
3 [laughter] I have in front of me an article from
4 the Daily News dated yesterday about, and the
5 title says, "Charter Schools Not Making the Grade
6 a Department Study Finds." And basically, what it
7 reads here is that charter schools are not doing
8 as well as public schools that are not charter
9 schools, that public schools that are not charter
10 schools are outperforming charter schools as far
11 as progress reports. Can you comment on this?

12 SHANEL POLAKOW-SURANSKY: Sure. So,
13 the theory behind charter schools is to produce
14 innovation and competition. And, you know, what
15 we would hope to see is that students are
16 performing really well in charter schools, and
17 that as a result of the creation of charter
18 schools, that the schools around them and their
19 district also start to improve better. And so, I
20 think that this year, if you average across all
21 the three different progress reports that have
22 been released so far, the district schools did
23 slightly better than charter schools. At the
24 middle school level, charter schools are still
25 doing much better; at the elementary schools, the

1
2 district schools are doing a lot better. If you
3 look at it in terms of just pure student
4 performance and proficiency, the charter schools
5 are still beating the district schools. But the
6 truth is that, you know, it's a good thing that
7 we're starting to see that kind of gain across the
8 districts in, you know, if you look at the South
9 Bronx, Harlem, parts of Brooklyn, Bed-Stuy, where
10 there've been a lot of charter schools, we're also
11 seeing very big, powerful gains in the learning
12 for our district schools. And honestly, we've
13 learned a lot. You know, one of the things
14 charter schools do really well is they've created
15 systems to look at student achievement data and
16 built it into the fabric of the school. And
17 that's something that district schools didn't do
18 historically, and that we've started to do.

19 [pause]

20 CHAIRPERSON JACKSON: Sorry, so,
21 the fact is, based on, this is your own report,
22 based on your report, charter schools are lagging
23 behind their comparable public schools as far as
24 progress reports are concerned?

25 MICHAEL ASHER: As far as, in a, in

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2 what is I think admittedly a very sort of blunt
3 tool of averaging every school's progress report
4 in these two very diverse categories--

5 CHAIRPERSON JACKSON: Alright, what
6 does--

7 MICHAEL ASHER: --those averages
8 for charter schools are lower than non-charter
9 schools. But I would say that I think there are,
10 if you're talking about the issue, which as
11 Councilman Fidler said could be a whole 'nother
12 hearing, of whether or not charter schools are
13 doing better or worse than non-charter schools.
14 That's obviously an incredibly complex subject.
15 And I would just point out, Caroline Hoxby at
16 Stanford University did a study that was out a
17 week ago, or two weeks ago, which was I think a
18 much more complex and academic look at this issue,
19 and controlled for issues like self-selection, and
20 took kids that had--all the kids that had applied
21 for the lotteries at charter schools, measured
22 this achievement of those that won the lottery and
23 those that did not, and in fact found among those
24 populations, which should control for various
25 socioeconomic differences, that the charter school

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2 population did substantially better than the non-
3 charter population. So I would just say that
4 this, the averaging of progress report grades,
5 again, amongst these two huge populations of
6 schools, is a pretty blunt and perhaps not precise
7 way of examining the question.

8 CHAIRPERSON JACKSON: Just looking,
9 I mean, this report was done by the Department of
10 Education, is that correct? Based on what the
11 article says.

12 MICHAEL ASHER: Yeah, it was, it's
13 one, I mean, speaking again, candidly, it's one
14 slide in a longer presentation on the subject of
15 charter schools, and I would not put a ton of
16 stock in that one slide as an analysis of a very
17 complex question. We did not, it was not intended
18 as a study of this, as I said, very complex
19 question. So, I--

20 CHAIRPERSON JACKSON: Yeah.

21 MICHAEL ASHER: --I wouldn't want
22 to try to make too much one way or the other of
23 that slide.

24 CHAIRPERSON JACKSON: Okay. But
25 what's far as, I'm reading here form Patrick

1
2 Sullivan, who is a member of the panel for
3 educational policy, representing the Borough of
4 Manhattan, and Borough President Scott Stringer,
5 and it's quoting him, he says, "The Mayor and the
6 Chancellor lecture us incentively on how charters
7 are better than traditional public schools; yet
8 DOE's own accountability data shows charters lag
9 significantly in the metric that they prize above
10 all else: improvement in state test scores," said
11 Patrick Sullivan, a member of the Education
12 Department's Central Policy Board. And he says,
13 "Either the progress reports are invalid or
14 charter schools are lagging." And you're saying
15 this is only one tool in the evaluation, is that
16 correct?

17 SHANEL POLAKOW-SURANSKY: Yeah,
18 well, two things. First of all, the, I wouldn't
19 say it's significantly, it's actually a very small
20 difference in performance that's represented on
21 that report. And second thing is, we actually,
22 you know, the reason why the Chancellor and the
23 Mayor have asked us and the City to look at
24 charter schools as a strategy, is because we
25 believe that kids need more options, and that when

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2 you create more options, and there's some
3 competition between schools, that you actually
4 produce higher outcomes, both in the charter
5 schools and in the district schools. And so, you
6 know, if we see the larger number of district
7 schools steadily improving as we've seen, that's
8 something we should be proud of. And the charter
9 schools are still doing extremely well, in some
10 places they're significantly outperforming. As an
11 aggregate on this particular measure, they're
12 slightly underperforming.

13 CHAIRPERSON JACKSON: We've been
14 joined by our colleague, Bill de Blasio of
15 Brooklyn. Can--let me just--I mentioned earlier
16 in my opening statement, I waived a copy of the
17 article from the New York Times concerning the
18 high school in The Bronx, and my understanding
19 that the story came out I think on Wednesday, by
20 gothamschools.org, which is an advocacy group on
21 behalf of the children of New York City. And I
22 was told that that was the case, and if that is
23 the case, I thank gothamschools.org for bringing
24 that about. But also a staff of the Education
25 Committee communicated I believe yesterday or last

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2 night that I was going to be asking some specific
3 questions concerning a school in District Six.
4 And I want to turn to that right now, which is the
5 06M366, that means school number 366, which is
6 Washington Heights Academy. It's an elementary
7 school. And they received on this 2008/2009
8 progress report, an F. And parents in that school
9 are incensed that their school received an F. So,
10 can we, even though we talked about progress
11 reports and categories, can I talk specifically
12 about this particular school? Because in fact,
13 you know, all of these progress reports are public
14 information. And so, it's not that something is
15 confidential, and I just want to talk to you about
16 that specifically. Because based on the reports
17 that we have, and all of the categories, the
18 school has been performing very well. The work is
19 proficient, as far as a quality statement, as far
20 as, in all of the findings, as far as parent
21 participation, and everything else. So, maybe you
22 can explain, as I said earlier in my opening
23 statement, I don't understand everything. How can
24 a school that parents and everyone else think is
25 doing so well, receive an F by the Department of

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2 Education? And I raise that in general, and I
3 have some specifics after your response, because
4 you have leaders from that school that are here
5 that are listening to everything you're saying in
6 general, and more specifically about the
7 Washington Heights Academy.

8 SHANEL POLAKOW-SURANSKY: Hello?

9 Okay, I pulled up their progress report on the
10 screen, so you can see to my left, it got a B for
11 school environment, which is a relatively good
12 grade; it got a C for student performance, which
13 is sort of a mediocre grade in terms of how
14 they're performing on proficiency for the state
15 tests; and it got an F for student progress. And
16 because the student progress is weighted most
17 heavily in the report, the overall grade was an F.
18 So, let's look at why they got such a low score on
19 student progress. If you look at the student
20 progress section of the report, what you see is
21 that the percentage of students that are making at
22 least a year of progress, they're, in ELA they're
23 in basically the bottom one percent of all schools
24 in the City. And the percentage of students
25 making a year of progress in math, they're sort of

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2 around, you know, twelve percent of the all the
3 schools in the City. So, that's the issue, is
4 that while this may be a school that has a lot of
5 strengths, it's actually quite a new school.
6 It's, last year was it's second year, and we hope
7 that we'll see some real gains in the coming year
8 as a result of looking at some of the big issues
9 that this report highlights. But, the growth, the
10 amount of kids that moved in that school was very,
11 very low last year.

12 CHAIRPERSON JACKSON: So, in
13 essence, this is just based on statistics.

14 SHAEEL POLAKOW-SURANSKY: Based on
15 the measurement of how much kids learned from one
16 year to the next. Did they make a year's worth of
17 progress or not?

18 CHAIRPERSON JACKSON: And they
19 receive no additional credit for anything.

20 SHAEEL POLAKOW-SURANSKY: I think--

21 CHAIRPERSON JACKSON: No, it's, it
22 says "Additional Credit," there's nothing there.

23 SHAEEL POLAKOW-SURANSKY: They--Phil
24 do you want to speak to the--? [off mic comment]

25 CHAIRPERSON JACKSON: Just identify

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yourself, please.

PHIL VACCARO: Phil Vaccaro from the Accountability Office. The school did not earn additional credit. It was eligible for additional credit in two categories, but did not receive additional credit in either.

CHAIRPERSON JACKSON: What two categories were they eligible to earn additional credit in?

PHIL VACCARO: Hispanic students in the lowest third citywide and Hispanic--in ELA-- and Hispanic students in the lowest third citywide in math.

CHAIRPERSON JACKSON: And they did not receive additional credits because they did not improve enough? Or there are not enough in that category in order to qualify?

PHIL VACCARO: Because the percentage of the students in those categories did not make, did not show enough progress when compared to other schools in the City.

SHAEL POLAKOW-SURANSKY: In order to get the additional credit, you basically have to beat 60 percent of the other schools in the

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City.

CHAIRPERSON JACKSON: Okay, so now, now so, let's talk about when we talk about grades, A, B, C, D, there's no E, right, so we're talking A, B, C, D and F.

SHAEL POLAKOW-SURANSKY: D, F, yeah.

CHAIRPERSON JACKSON: So, when parents look at this school, they could say, "Well, I'm not going to enroll my kid in a school that's failing," is this a failing school, as far as you're concerned? Providing our children with a quality education?

SHAEL POLAKOW-SURANSKY: Well, so, I think it's important to, if I'm a parent looking at this school, to go back to the top and look at the different indicators. So, in terms of school environment, it's doing pretty well. In terms of student performance, it's kind of in the middle of the pack, it's not doing great, it's not doing terribly. In terms of the ability to make progress with their kids, the amount of growth that the school is adding in terms of what they're actually teaching the kids from year-to-year, it's

1
2 really struggling. Now, as a new school, it's in
3 its second year. I started a new school, the
4 second year of a new school is a tough year and
5 there's a lot of learning that goes on, it's often
6 the year where you double in size, you bring in a
7 lot of new staff, and so you know, there's
8 definitely the potential that this school is going
9 to become a successful school. At this point,
10 based on the measures that we're using to judge
11 all of the schools, it's really struggling to make
12 progress with its kids. And you know, I think
13 given how much progress all the other schools in
14 the city made, I mean, we talked a lot earlier
15 about whether the test scores, the tests were too
16 easy, you know, why did schools go up so much?
17 Was that real? I mean, the truth is that if,
18 however you cut it, most schools did a lot better.
19 They did see a lot of progress. And so, you know,
20 we're going to watch the school and see how it
21 does in the coming year. And I would hope that as
22 it becomes fully phased in, and it looks closely
23 at these areas that the report has identified,
24 that it's going to show some improvements.

25 CHAIRPERSON JACKSON: Okay, but now

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2 when, but overall, from a perspective when someone
3 sees a school receives an F, basically, that
4 basically they're saying that that school is
5 failing. Is that the general understanding from
6 your perspective, as the Chief Operating Officer?
7 Or--

8 SHAEL POLAKOW-SURANSKY: Chief
9 Accountability.

10 CHAIRPERSON JACKSON: Chief
11 Accountability Office, that parents look--

12 SHAEL POLAKOW-SURANSKY: I actually
13 would--

14 CHAIRPERSON JACKSON: I'm sorry,
15 let me just finish.

16 SHAEL POLAKOW-SURANSKY: Yeah.

17 CHAIRPERSON JACKSON: As far as a
18 parent looking at a school, and they see an F, as
19 far as a parent is concerned, this is a failing
20 school that I should not send my child to. Is
21 that basically--

22 SHAEL POLAKOW-SURANSKY: I would
23 ask parents to look closely at what we're
24 reporting here, and look at all of the
25 information, and try to understand it, which is

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2 why, you know, I think it's important that you
3 look at the F grade and that tells you, "There's
4 something going on here that's a cause for
5 concern," and then you look at the other grades
6 and you say, "Okay, so what exactly is going on,
7 and am I concerned about it." And honestly,
8 parents should also visit the schools, you know,
9 if they're trying to decide if they're going to
10 send a kid there, or if they have a student in the
11 school, because that experience will tell them a
12 lot about what's important to them. But if you
13 were going to, as a parent, ask the question, "Do
14 I want to send my kid to a school that's making a
15 lot of progress with its students, where the added
16 value in comparison to the other schools in the
17 City is high?" this is not, it's not happening yet
18 at this school.

19 CHAIRPERSON JACKSON: Because I
20 have some stats here from, supposedly taken from
21 the DOE website.

22 SHAEL POLAKOW-SURANSKY: Okay.

23 CHAIRPERSON JACKSON: About this
24 particular school. And this is information that
25 was given to me by parent leaders of the school,

1 that are sitting here now. Out of the eighteen
2 elementary schools in District Six, the Washington
3 Heights Academy had the fourth highest percentage
4 of students scoring at three or four on the State
5 ELL test, and the seventh highest percentage of
6 students scoring at three or four on the math
7 State test, on a 4.5 scale. That's one stat.
8 Number two, the median ELL scale at a Washington
9 Heights Academy is a 3.0, and the median math
10 score at the Washington Heights Academy is 3.56.
11 This is all from your website. And then, another
12 stat, 100 percent of the Washington Heights
13 Academy third graders achieve--100 percent--
14 achieved either three or fours on the New York
15 State English and math exams in 2009. Another
16 stat, the New York City DOE quality review of
17 Washington Heights Academy was proficient.
18 Another stat, the New York State, the No Child
19 Left Behind accountability standards for
20 Washington Heights Academy, quoted it as "a school
21 in good standing by wide margins." And then, the
22 New York City DOE school survey for WHA, 98
23 percent of parent satisfaction.

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25 SHAEL POLAKOW-SURANSKY: So, yeah--

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CHAIRPERSON JACKSON: I mean, I'm just saying, overall--

SHAEL POLAKOW-SURANSKY: Well, that--

CHAIRPERSON JACKSON: --that the-- let me just finish, I'm sorry. If overall with these stats, anyone looking at this, an F is an F is an F. An A is an A is an A. And from parents' perspective, schools that got A, an A is an excellent grade overall. An F is a failing grade. And based on what I read here, these stats, this school is not an F.

SHAEL POLAKOW-SURANSKY: Well, so, let me point out that every stat that you read is on the progress report, like all of that information is on the actual progress report, and the reason we provide all of that information is because we want parents to have that. So, we're not in any way trying to conceal any of that. And let's look at, first you talked about student performance. And so, I have that up on the screen, that's where they received a C. If you look at the bars in the green section, you can see that in English, when you compare them to other

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2 schools which have a similar student population,
3 they generally performed a little bit lower than
4 most of the other schools in their peer group, in
5 English; and a little bit higher on the
6 performance section in math. Same is true when
7 you look at citywide, they performed a little bit
8 lower than the average in English and a little bit
9 higher in math, overall. Performance counts for
10 25 percent of the grade. That's also what
11 determines the NCLB standing, it's just looking at
12 how many kids did you get over the line between
13 two and three. Okay, so that's, that is an
14 important measure, and it is part of the progress
15 report. But--

16 CHAIRPERSON JACKSON: Doesn't
17 matter whether or not a school is only two or
18 three years, as far as being in place.

19 SHAEL POLAKOW-SURANSKY: Well, I
20 mean, it's a good--

21 CHAIRPERSON JACKSON: Because you
22 know, when you're a new school, you're getting
23 students that are coming in from all over the
24 place.

25 SHAEL POLAKOW-SURANSKY: Yeah, I

1
2 mean I think that's a question that's worth
3 considering, is in the second year, do we want to
4 be assigning a grade. And I think that's
5 something we could look at in the future, because
6 it is, the second year is a tough year for a
7 school. That said, you know, when you combine the
8 combination of the good scores it got within the
9 environment, which includes that survey that you
10 mentioned, the student performance, which
11 includes, you know, what percent of kids were
12 proficient, that gives them some points. But it
13 doesn't give them enough points given how they did
14 on the progress section. And so, again, as a
15 parent, I would not say, "Oh, the school is not
16 worth sending my kid to," I would look closely at
17 this and say, "You know what? There's some
18 strengths here, but in one of the biggest areas,
19 how much did kids learn year-to-year, there's some
20 real struggles right now," and that's something
21 that parents should hold the school accountable
22 for improving. And I imagine that they will and
23 that the school will improve because what we see
24 is when educators actually focus on this question
25 of "Are kids growing? Are we actually adding

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2 value?" that that's a very powerful tool to
3 improve and accelerate student learning.

4 [pause]

5 CHAIRPERSON JACKSON: I have a lot
6 more questions to ask you, but what we're going to
7 do is allow staff to follow up with your staff as
8 far as, and yourself, so you can respond in
9 writing.

10 SHAEL POLAKOW-SURANSKY: Okay.

11 CHAIRPERSON JACKSON: Okay? I want
12 to thank you for coming in and giving testimony,
13 and we look forward to working with you in order
14 for the ultimate goal of our children to receive
15 an excellent education.

16 SHAEL POLAKOW-SURANSKY: Thank you,
17 we look forward to that as well.

18 CHAIRPERSON JACKSON: Thank you.
19 Next, we're going to hear from the President of
20 the Council of Supervisors and Administrators,
21 Ernie Logan, who, his union represents principals,
22 assistant principals, school administrators, and
23 supervisors. Ernest Logan, Council of Supervisors
24 and Administrators President. [pause] Good
25 afternoon.

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2 ERNEST LOGAN: Good afternoon,
3 Chairman Jackson.

4 CHAIRPERSON JACKSON: Good, please
5 identify yourself and your position, and your
6 colleagues, and you may begin your testimony.

7 ERNEST LOGAN: Chairman Jackson,
8 good afternoon, I'm Ernest Logan, President of the
9 Council of School Supervisors and Administrators,
10 representing over 6,000 New York City principals,
11 assistant principals and supervisors, and the New
12 York City Board of Ed. I'm joined this afternoon
13 with two of our consultants of retired principal
14 Dr. Nancy Brogan and Ms. Laura Winters who have
15 been working us on the progress reports and
16 accountability in data systems since the infusion
17 of the progress reports and the Board of Ed's
18 data.

19 CHAIRPERSON JACKSON: One second,
20 please. Ladies and gents in the back, can you
21 please take your conversations outside the
22 chambers? Thank you. Continue.

23 ERNEST LOGAN: So I--let me just
24 say I applaud you for recognizing the critical
25 importance of the quality reviews, and progress

1 reports, but more importantly that our qualities
2 to the school leadership. I've heard some
3 testimony here today, and my colleagues have heard
4 some, where it appears that people have said that
5 no one was interested in accountability until this
6 administration came to town. That is not true.
7 We have always embraced accountability, we've
8 always been accountable for what happened in our
9 schools. Principals, as well as all school
10 supervisors, as well as teachers, have been
11 accountable with what's happening with children.
12 What we're seeing today, though, is a brand new
13 way of looking at it. Is it good or is it bad,
14 and I'm going to talk a little bit about that. My
15 members have created the rigorous curriculum to be
16 able to infuse in their instruction the skills
17 needed to meet these accountability mandates that
18 have been thrust upon them. We believe the
19 progress report is a pretty good thing. We
20 believe it has come a very long way from what it
21 was originally envisioned. We've worked very hard
22 at making it work. We believe, though, with the
23 support that we've received from the City Council
24 to do the Executive Leadership Institute, we've
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2 been able to provide our members with the
3 professional development needed to understand what
4 is indeed the nature extent that the department
5 has put together, to do the performance of
6 schools. And that training has really given us a
7 real understanding of how to look at what the
8 department is looking at. And so we meet directly
9 with the DOE, and because it is part of the
10 principal's performance review, they are required
11 to negotiate with us when they try to make
12 changes. Sometimes we win, as with any
13 negotiation, and sometimes we lose. There are
14 some things in here we absolutely do not like,
15 we'd like to see change, and I think your last
16 question, Chairman Jackson, was very interesting,
17 because the school in Manhattan that you mentioned
18 is a very small school, under 133 students. And
19 you bring to the point that here's a school that
20 sometimes you can get three or four students who
21 don't do well, who can bring that entire school
22 down. No one's taking that into consideration.
23 So that's a point that we've talked about quite a
24 bit. We also talk about how you place schools in
25 different cohorts. And sometimes you can take a

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2 school that's an unscreened community school, and
3 you put it in with a cohort of schools where
4 people are selecting their students. And we
5 question whether that is a fair way to analyze how
6 a school is doing next to their peer groups. And
7 the Department likes to talk a great deal about
8 peer groups. And we're saying that, you know, we
9 look at the school, but when we talked about
10 charter schools, and the report that came out
11 today, you heard a little bit different about the
12 peer groups, where it's not the same anymore.
13 Well, we realize that some of what we've been
14 doing is we've done a very good job of
15 understanding what they're doing, and my members
16 have targeted students who were most in need, to
17 have them meet the targets they set aside for
18 them. And that's what we've done. Now, I'm not
19 going to take a lot of time, but let me just talk
20 about some things we think need to happen, and go
21 from there. 'Cause you do have our testimony, so
22 I'm just going to go--With us facing huge budget
23 cuts, and eliminating the afterschool programs
24 that we're having because we realize what the
25 reality is going forward, unless there's going to

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2 be some relief from either the Council or from the
3 State Legislature, the Mayor and the Chancellor
4 have already talked about the huge cuts they're
5 going to take. We know that's going to affect
6 what we've been able to do to improve student
7 achievement. Our afternoon, afterschool programs,
8 our extended day programs, our Saturday programs,
9 are really the foundation that has allowed us to
10 give the students most in need the additional
11 support that they need. We know that if you take
12 that away, we're going to face major problems
13 going forward. We know that the grades will fall
14 down, and whether you like, it's an A or a B or
15 not, we know that if you don't have that extra
16 support, students are going to fall through that
17 net. There's also been concerns raised about the
18 NAEP and the fact that the New York State test
19 scores and New York City's test scores, none of
20 those things are correlated and making sense. The
21 NAEP takes a very small snapshot of about 4,000
22 children, the State tests everyone, New York City
23 does something very different. And what we've
24 found is that because the benchmarks were set low,
25 we've gotten a lot of schools that received As and

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2 Bs. Now, we know they're going forward because
3 we've heard what the State Board of Regents wants
4 to do: they want to raise that benchmark. We
5 believe that there'll be a lot of schools going
6 forward that won't be As and Bs. We know that's
7 going to happen. The problem that we have as
8 administrators, is that people who have, we don't
9 have the control of it, but other people are
10 playing games with the scores. And what's
11 considered meeting a standard and what's not
12 considered meeting a standard. So we need to get
13 some oversight of that, and hopefully the City
14 Council will weigh in on more and more of that,
15 about how we're setting these benchmarks, these
16 targets, and what we're looking at in the way of
17 standards. And once again we have really been
18 concerned about the methodology that they use to
19 do cohorts, and how--we want to look at individual
20 students. As an educator, I've always been
21 concerned about how an individual student does.
22 And just a little personal aside, the other day I
23 was on the subway and a young lady was on the
24 other end of the car, she saw me, she smiled, and
25 then she walked over to me and she said, "You're

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2 Mr. Logan, you used to be my assistant principal.
3 And I want to tell you that I'm very successful
4 today," and she now works for CUNY. She said,
5 "Because what happened is that you took some time
6 for me. And you really helped me to really focus
7 on education." That's what we're about as
8 educators. We want to deal with the individual
9 child, we don't want to get hug up and this idea
10 of trying to look at schools whether they have As
11 or Bs or Cs. And then we believe that what needs
12 to happen to make this thing work, it has to be
13 objective and there has to be some objective
14 criteria. Because this idea of the learning
15 environment study and the environmental study, and
16 you give me a grade of 15 percent on that, five
17 percent of that is attendance, ten percent is
18 other stuff. We're asking crazy questions of
19 people, "Do you like your principal? Do you like
20 your teacher?" What does that have to do with the
21 effectiveness of a school? And we need to find a
22 way that with all of what we're doing, we need to
23 look at a school. And for, how can a school be an
24 A if children don't have art and music? But we
25 don't test that. So we consider the school is A.

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2 I wouldn't consider that to be a great place to
3 send my child, if all he was doing was the
4 academics and not doing the other things that's
5 the creative part of what he's doing. But I want
6 everyone to understand that my members follow what
7 the boss has said we must do. That's how our
8 accountability is based. So, we're very happy to
9 accept the As and Bs, but the reality we
10 understand that the reason we have As and Bs is
11 because we've worked very hard to figure out what
12 it is that they're looking for, and to meet that
13 and work with that with our staff. So, we commend
14 our teachers, our students and their parents, for
15 what we've been able to accomplish; but we
16 understand that if that's the only way that we're
17 looking at it is with a test, we realize that's
18 not really the true indicator of whether we're
19 preparing children for the future. And I'll stop
20 and take and questions from there.

21 CHAIRPERSON JACKSON: Well, before
22 I turn over to my colleague, Lew Fidler, I got a
23 little annoyed earlier at the testimony of the
24 Department of Education, because they were making
25 blanket statements like, "Now principals are being

1 held accountable for student achievement, where
2 before no one was being held accountable." I
3 mean, that no one was, in essence, no one was
4 working hard for students' progress. And I, my
5 comment overall was that there are thousands of
6 educators out there, educators, principals, APs,
7 supervisors, teachers, school aides,
8 paraprofessionals, parents, volunteers, that were
9 out there working hard to try to ensure students
10 achievements, student progress and performance.
11 And I asked them to stop making blanket statements
12 like that, because that, in my opinion, that does
13 not help. Not only that, I took that personal
14 because as someone that invested thousands and
15 thousands of hours as an administrator, meaning an
16 elected public official, elected public official
17 of School District Six, I took that personal. So,
18 my question to you is, do you believe that now,
19 now, "now," principals are being held accountable
20 for student performance, whereas before no one was
21 being held accountable?
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23 ERNEST LOGAN: Well, I'm happy that
24 you, I hear part of that when I came in, how you
25 defended us. I appreciate that and defended all

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2 the educators who've been in this city for many,
3 many years. It is interesting to note that back
4 in the 1960--I mean, the 1980s, the New York State
5 Board of Regents did something called "Schools
6 Under Registration Review," where we went into
7 schools, walked through schools, we looked at
8 data. But we also looked at schools, we held
9 schools accountable. We held superintendants
10 accountable, we held school boards accountable,
11 we've always been accountable. I resent, as you
12 do, Chairman Jackson, that the belief that
13 everything that we've ever done before has been
14 worth absolutely nothing. And that everything is
15 brand new now. And I take that because I say if
16 there was something wrong in the school, I know of
17 superintendants down through the years who've gone
18 in, and to work rolling up their sleeves to make a
19 school better. I've known of principals who have
20 been removed because they were unable to make a
21 school move. I've known of administrators, and
22 I've also known of schools that have been
23 reorganized and changed, to make them more
24 effective. So I resent that also, and I, you
25 know, I, it's like, it's a matter of disrespect

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2 that we get sometimes, that--because you are the
3 old style or been here a little longer than anyone
4 else, everything you did was absolutely nothing.
5 But I gave you that story of the young lady on the
6 subway because you know what? We've been
7 successful, every single one of us can talk about
8 children that we've touched in this City, who've
9 gone on to prominence and to greatness. And I
10 look at many of the elected officials who've gone
11 through the public school system. Is this
12 administration saying that all of us never got a
13 quality education? I think we're doing a better
14 job of reaching every child now because of the
15 amount of money that we're putting into this
16 system. But if we had that money back then, we
17 probably would've been able to do many of the same
18 things we're doing now.

19 CHAIRPERSON JACKSON: And I'm
20 looking at my opening statement on page two, and
21 I'm going to read this part for you. And I'm
22 going to ask you for a comment on it. It says
23 here, "This year's progress report scores have
24 been called inflated, bogus and politically
25 motivated in press accounts." [hissing] This is

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2 not me, this is the press saying this. And
3 editorials have referred to the grades as
4 "meaningless," and called for DOE to fix them. Do
5 you have any comment regarding that particular--?

6 ERNEST LOGAN: Well, remember now
7 is that, we started out, the progress reports are
8 based on testing, a lot of it has to do with
9 testing. And a lot of it is based on what the
10 State puts in as its, how should we say,
11 "benchmark" or level for achievement. And you've
12 heard many reports about how New York City
13 outperformed in progress many students in the
14 State of New York. Well, I don't know if they're
15 bogus, I don't know if they're inflated, but I do
16 know it's politically charged. It would make more
17 sense, the Commissioner, the former Commissioner,
18 went out on a high note. And I'll just leave it
19 at that.

20 CHAIRPERSON JACKSON: Council
21 Member Lew Fidler of Brooklyn.

22 COUNCIL MEMBER FIDLER: Thank you,
23 Chairman. Mr. Logan, always good to see you and--

24 ERNEST LOGAN: Thank you.

25 COUNCIL MEMBER FIDLER: --always

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2 appreciative of your leadership on behalf of our
3 children. And I, I also want to thank you for
4 acknowledging that some of us have come through
5 the public school system with success and I'm a
6 product of public school system, including the now
7 close Tilden High School.

8 ERNEST LOGAN: Yes.

9 COUNCIL MEMBER FIDLER: We were
10 talking about earlier. An I want to tell you what
11 the accountability system was when I was in
12 school. My mother was the president of the PTA of
13 every school I went to.

14 ERNEST LOGAN: That's right.

15 COUNCIL MEMBER FIDLER: And she
16 damn well held everyone accountable. And the fact
17 of the matter is, is that when my mother walked
18 into the school as the president of the PTA, the
19 principal was a little bit afraid of her. Now, I
20 don't know, that was just my mother, you know. I
21 think it was a different time, and the Department
22 of Education has done so much to marginalize
23 parental involvement in our schools, that that
24 statement couldn't be, it's the diametric opposite
25 of that truth today. And that was, that was the

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2 accountability, a school couldn't slip because the
3 parents were watching. And the parents had
4 something to say. And somebody cared what the
5 parents had to say! So, you know, this idea that
6 Chancellor Klein and Mike Bloomberg invented
7 accountability, and that nothing worked before
8 they got here, is frankly, you know, baloney that
9 you read on a weekly or daily basis in the New
10 York Post, and in Bloomberg TV ads. And I'm tired
11 of hearing it, and I needed to say that. Now,
12 when you first got up here, I just quickly started
13 to read your testimony. I got to like paragraph
14 four, and I kind of gagged a little bit. You
15 wrote, you know, "We believe the progress report
16 cards have been a good thing for our students, our
17 school, or leaders and our schools, given that
18 progress report grades have been seen by many as a
19 reflection of the hard work of school principals
20 who are proud of the success that they
21 demonstrate. And principals are certainly
22 entitled to their victory lap." But then I heard
23 your testimony, and I also read this line, first
24 line of "Reasons for Improvement," "We believe
25 that the improvements in progress report card

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2 grades indicate that school leaders have accepted
3 the accountability framework and are working to
4 ensure each of their students is making academic
5 progress." Isn't that just a fancy way of saying,
6 "We're hip to the fact that we got to teach for
7 the test"?

8 ERNEST LOGAN: Well, what I'd like
9 to say is that we've become creative in how to see
10 to it that how we have worked the curriculum to be
11 able to put the skills necessary to be successful
12 in taking the test, but also educating our
13 children as well rounded as we can. I'm the first
14 one to admit, that many of us are not able to be
15 as in-depth in our social studies and our science
16 and our writing as we would like to be, because
17 there is indeed a lot of time spent going back to
18 say, "Well, John, remember how to do this." But
19 as true educators, there's an underground out
20 there, Council Member, there is indeed an
21 underground out there, where we are indeed
22 continuing to educate children in a well rounded
23 way.

24 COUNCIL MEMBER FIDLER: But--

25 ERNEST LOGAN: Under the radar.

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2 COUNCIL MEMBER FIDLER: But that's
3 because teachers and principals care.

4 ERNEST LOGAN: That's correct.

5 COUNCIL MEMBER FIDLER: And I, and
6 not because the system is, the system was working
7 against that flow.

8 ERNEST LOGAN: Yes, it is, okay.

9 COUNCIL MEMBER FIDLER: Alright?
10 If they were to put music and art into the
11 progress report card grade, and make that a part
12 of the measure of a good school, I think we'd find
13 more music and art in our schools, don't you
14 agree?

15 ERNEST LOGAN: Well, not just more
16 music and art, I think what would you find is that
17 people would not be so shy about making sure that
18 they had big time arts and music programs. You
19 know, right now, when people come into your
20 building, they talk about this idea of rigor in
21 the academic areas. But I'm watching my members
22 with their staff, with their teachers, doing very
23 creative things about teaching reading through the
24 arts and with music, trying to get all those
25 things that they need to do, by coming in from the

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2 back door, around the scene, but not making that
3 the main focus. That's a sad commentary, but
4 you're absolutely right.

5 COUNCIL MEMBER FIDLER: Well, and I
6 can tell you that through, you know, the papers
7 love to call it "pork," thought my discretionary
8 funding, I provide a cultural program, at least
9 one for every public elementary middle school in
10 my district.

11 ERNEST LOGAN: Right.

12 COUNCIL MEMBER FIDLER: And I know
13 by the reaction that the principals get, and I
14 hear from the parents who say, "But for your
15 theater development fund program, but for music
16 outreach," you know, "but for these programs,
17 there'd be none," alright, "there'd be none. I
18 don't know what I would do without it." So, you
19 know, clearly DOE's not providing it, and whatever
20 is happening is happening because principals are
21 able to beg, borrow and steal and finagle. And
22 that shouldn't be, something that should be a core
23 part of every education. It really shouldn't be.
24 The other thing I wanted to ask you about, you
25 know, really kind of goes to the same thing. And

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2 it's, as long as "accountability" is going to be
3 based in statistics, and there's going to be
4 pressure on that accountability, there is going to
5 be, the people who have to administer the programs
6 are going to be aware of that pressure and respond
7 to it. Now, the high school progress report cards
8 are not out yet, am I correct? I believe I heard
9 from DOE.

10 ERNEST LOGAN: That's correct. We
11 are still awaiting the probably the cleansing,
12 etc., of them.

13 COUNCIL MEMBER FIDLER: Yeah,
14 right, the cleansing, that's good, that's another
15 interesting word. But, you know, I also suspect
16 that they won't have 87 percent As.

17 ERNEST LOGAN: That's correct.

18 COUNCIL MEMBER FIDLER: Okay. And
19 so, coincidentally, they will come out after
20 November 3rd, just while they're taking care of
21 that. I want to ask you about something that we
22 heard about here, from I believe representatives
23 of the UFT at a hearing I believe in May or June.
24 It's called "credit equivalency."

25 ERNEST LOGAN: Oh, credit recovery?

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2 COUNCIL MEMBER FIDLER: Credit
3 recovery, I'm sorry.

4 ERNEST LOGAN: Credit recovery,
5 yes.

6 COUNCIL MEMBER FIDLER: Credit
7 recovery. Can you speak to that and tell me what
8 kind of pressures principals feel on their
9 graduation rates, and what, how is that impacted
10 on the use of credit recovery in high schools.

11 ERNEST LOGAN: Can I give you a
12 little historical perspective on that, since we
13 all have attended high schools in the City. In
14 the past, a school, to be able to do a credit
15 recovery program received approval from the
16 superintendent, the plan was sent in for approval,
17 and there was oversight by an educator of what the
18 recovery program would be, and usually we all knew
19 it as extra credit and something else, to make up
20 for what you'd missed, you did some, an extra
21 report, you did some research, etc. We got into a
22 situation in the last few years where people were
23 told, "Just do what you need to do." And so
24 we've, really have kept--

25 CHAIRPERSON JACKSON: You mean, not

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knowing any--just do what you got to do--

ERNEST LOGAN: No, well--

CHAIRPERSON JACKSON: And not giving A, B, C, D, E, F, G, follow this script as we put in writing, do what you got to do.

ERNEST LOGAN: Well, the problem that we've had, and this is a problem that now the Board of Regents is also looking at. It got to a point that because there was no oversight above the level of the school, or oversight of what the Department was putting out, there was not very clear guidelines on what credit accumulation became, as well as credit recovery. In other words, how you initially got the credit, seat time, etc., or how you made up for what you missed before. That we got into the wild west here. That people were doing all manner of things about credit recovery, and to be honest with you, most people when you called at the ISC or the office, didn't know how to direct you anyway. Because they didn't know what it meant. So, yes, we had some situations here. I don't think it's widespread as some people report, but there have been some situations where people are not sure

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what type of things were done for credit recovery.

COUNCIL MEMBER FIDLER: Is the use of credit recovery more, you know, significantly higher today than it was ten years ago?

ERNEST LOGAN: I would say so.

COUNCIL MEMBER FIDLER: Alright, that was the testimony that we had previously. And the fact of the matter is that--

ERNEST LOGAN: And may I just say this? Higher today because there is no one overseeing it. The superintendant, the role of the superintendant, you know, this union has fought hard to make sure there are superintendants in place--

COUNCIL MEMBER FIDLER: As there should be.

ERNEST LOGAN: The role of the superintendant was always to have oversight over schools. The law says that, the superintendant. The Chancellor is the senior superintendant. Under the Chancellor, the way New York City is structured, there are 32 community superintendants, and as many high school superintendants or special ed superintendants as

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2 he chooses to have. That individual
3 superintendant is the one who is supposed to
4 oversee the school plan for credit accumulation,
5 as well as the school plan for credit recovery.
6 And since that was, did not happen, and when
7 people said, "I want to do this," people said,
8 "Whatever, help yourself."

9 COUNCIL MEMBER FIDLER: So, in
10 fact, there is no supervision, each principal is
11 left to his or her own discretion as to credit
12 recovery.

13 ERNEST LOGAN: There was until
14 about a month ago.

15 COUNCIL MEMBER FIDLER: There was
16 what?

17 ERNEST LOGAN: They, left to their
18 own discretion till about a month ago.

19 COUNCIL MEMBER FIDLER: And so a
20 month ago, they changed that.

21 ERNEST LOGAN: I think we're now
22 going to see some additional things coming out.

23 COUNCIL MEMBER FIDLER: Well, I
24 think that may have been because of the hearing
25 that this Committee held in the spring.

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ERNEST LOGAN: Could be.

COUNCIL MEMBER FIDLER: Because frankly when I tell people about credit recovery, their jaws drop. The, you know, there, you cannot tell me that a principal who is about to be judged on his or her graduation rates, isn't under undue pressure to dumb down the credit recovery. It is bad enough that you only need a 55 to pass, like the world history regents, or something like that. Alright? But to be able to, you know, say, "Well, you're going, you can do a diorama of the Battle of the Bulge and you have mastered world history" just shouldn't cut it. And that, you know, the, you know, and I don't mean to be pejorative about principals. It's human nature, alright, you know, well Johnny's really a good kid, and I really, you know, I'd like to get him graduated, you know, this is not a case that Johnny was sick for six months, and he's an A student, and I got to, I really, I'm going to, you know, cut him some slack and get him through world history. This is principals who are about to be judged, their schools are going to get progress report cards, in which graduation rates are a significant portion,

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2 four or six years, and then they're being given
3 the discretion, unfettered and unsupervised, to
4 decide what qualifies for credit recovery.

5 ERNEST LOGAN: I don't--

6 COUNCIL MEMBER FIDLER: It's an
7 outrage, it's an outrage.

8 ERNEST LOGAN: Well, I understand
9 where you're coming from, Council Member, but I
10 don't want to denigrate my members on this. And
11 let me just, and I know you don't mean--

12 COUNCIL MEMBER FIDLER: And I want
13 to be clear, I wasn't denigrating your members.

14 ERNEST LOGAN: I understand that.

15 COUNCIL MEMBER FIDLER: I'm
16 denigrating the system that they've been asked to
17 work in.

18 ERNEST LOGAN: Right. And I think
19 the major problem that we're seeing with this, is
20 that because the Regents has not done what it was
21 supposed to do, the Regents Exam was supposed to
22 be the indicative completion of high school. And
23 because of the politics of it, we have continued
24 to dumb down what it is to get a high school
25 diploma. Why? Because with No Child Left Behind

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2 and the State of Mississippi had high, with, had
3 higher graduation rates than the State of New
4 York, well that wouldn't have been allowed. And
5 we know what that educational system is in most
6 places outside of the state. And I think that the
7 bureaucrats in Albany, looking very carefully
8 about how you look nationally, allowed a lot of
9 things to happen. Hopefully, we will get
10 ourselves back on track, only if people have
11 oversight of it.

12 COUNCIL MEMBER FIDLER: Thank you
13 for your candor about it.

14 ERNEST LOGAN: [laughs]

15 COUNCIL MEMBER FIDLER: And again,
16 I'm not denigrating the principals, I think when
17 you're--I'll put it in the context of a precinct
18 commander in crime stat, alright. A commander is
19 going to be judged by the crime statistics in his
20 precinct, and an officer walks in with an arrest,
21 and he can be charged either with a felony,
22 alright, in one of the categories that they're
23 counting, alright, or perhaps a misdemeanor or a
24 noncritical category felony. What do you think
25 the commander's under pressure to do? So, you

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2 know, so, in order to keep my job as commander, in
3 order to continue to be successful in the police
4 department, there's pressure on me to either
5 mischarge or undercharge, in those categories.

6 So, the Mayor and the Commissioner can tell you
7 that crime is down, and all is well, and district
8 attorneys will sit in that well and tell you that
9 they're prosecuting the same number of arrests and
10 the same number of people as they were before,
11 just that they're prosecuting them for something
12 different. Alright? Are we really doing anything
13 for people? So in the context of education, by
14 improving the statistics of graduation rates, are
15 we really doing anything? Are we not demeaning
16 the quality of the piece of the paper that's
17 handed to someone on graduation day when you have
18 dumbed down the standards in such a way, and this,
19 and the system, this entire system, that, you
20 know, sounds great, isn't producing the results
21 that they're trying to tell you that they're
22 producing. That's the point I'm trying to make.

23 ERNEST LOGAN: I hear you. I
24 appreciate your point.

25 COUNCIL MEMBER FIDLER: Thank you.

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2 CHAIRPERSON JACKSON: Thank you,
3 Council Member Fidler. In fact, we held a hearing
4 on credit recovery, and you know, I was looking at
5 this article that was brought about by Gotham
6 Gazette, gothamschools.org, where in this article
7 by, in City Room, it says, "Concerning the
8 questions on whether or not students were," it
9 says, and I'm reading, quoting from the article,
10 "In some cases described by Gotham Schools," this
11 is about the principal at Lehman High School, the
12 allegations, the allegations. And as you know,
13 this is America, you're proven, you're innocent
14 until proven guilty. Okay? But it says here, "In
15 some cases described by Gotham Schools, teachers
16 claim that students were given credit for classes
17 they had not taken, but in other cases transcripts
18 were said to show students passing with 'credit
19 recovery,' a permitted but controversial practice
20 in which schools let failing students obtain
21 credits with alternative methods like attending
22 weeklong cram sessions, or completing worksheets."
23 The next sentence, "The education department said
24 it did not track how many students received such
25 credits, which are not, which are noted with a CR

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2 on the student's report card." In essence, in my
3 opinion, based on--they don't want to know!
4 They're not going to track, unless they're forced
5 to do it. Because we wrote them a letter asking
6 them, "Please tell us, how many credit recovery
7 courses there are in the City of New York? At
8 what schools? How many students are taking them?
9 How many students pass them?" so forth and so on.
10 And do you know? We don't have an answer as of
11 yet.

12 ERNEST LOGAN: And I think that you
13 probably won't get one because no one has ever
14 looked at that. As I said to you, until they, it
15 started to become an issue, that you've raised, I
16 know my colleagues in the UFT have raised, and
17 we've raised, we had a lot of conversation about
18 this, a lot of it is going out to contractors
19 where students are sitting at computers doing this
20 work. We are very concerned that this has been
21 the model that they have approved of. In the
22 past, we used to have a teacher who oversaw
23 students getting credit recovery. The Department
24 decided that it was more cost effective for them
25 to do a program. And so they pushed us in that

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2 direction. My budgetary concerns all along, if
3 you want to be able to do that, this is the way
4 you do this. So, we realized right away that
5 there would be major gaps in oversight in what was
6 happening. But it's not just credit recovery.
7 We've raised before with this in the City Council,
8 the idea that we don't have phys ed where students
9 are getting phys ed credits because they sign up
10 to go to the gym, or they go walk around the park,
11 or whatever else they're doing. The system itself
12 has moved from being one where someone has
13 oversight of it, to one where it's just haphazard,
14 whatever seems to work for the political will.
15 And that's why we fought very hard to get the
16 independent budget office involved now, in what's
17 happening in the future, to get the role of the
18 superintendants back. So not my members only are
19 accountable. You see, because, everybody needs a
20 boss, Chairman Jackson, I've said this numerous
21 times. And I think that somebody has to have
22 oversight of what we are doing, to give us course
23 corrections when we veer off course. And somebody
24 needs to give us support when we need the support.

25 CHAIRPERSON JACKSON: Now, my final

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2 question to you, refers to an article in the Daily
3 News about charter schools not making the grade,
4 that their study found. And this article says
5 that basically that the report was buried, buried
6 deep into the Department of Education's website, I
7 guess where it was not on the face of it that, you
8 know, they are improved, and it would be on the
9 front, you know, splash page. So, and it says
10 basically that the surrounding public schools are
11 making better progress on progress reports than
12 charter schools. I know you must have looked at
13 this as the leader of principals and supervisors
14 and administrators. Do you have any comments
15 regarding this?

16 ERNEST LOGAN: Well, we also
17 represent some leaders in charter schools, also.
18 One of the issues that I took very interesting
19 about that article, is that the number of special
20 ed and L [phonetic] students that the charter
21 schools do not take in, and that the so-called
22 lottery sometimes seems to allow them to continue
23 to maintain their, how you say, school size, even
24 though we know that students have left charter
25 schools and come back to the public school down

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2 the block or around the corner or in the same
3 building. I was not surprised by that. I think
4 that when you look at it, and you start to compare
5 us with progress, we are competing on an equal
6 scale with progress. What they probably beat us
7 at, where there's attendance and probably maybe
8 some environmental stuff, and how they get parents
9 involved, etc. But when you put our kids up
10 against any other kid, public school child against
11 anyone else, our progress, you can see that we're
12 really moving ahead. So, I knew that that was
13 not, I was surprised to see that, by the way, so
14 quick to this new thing. I wish that it had come
15 out a lot sooner, because then there would've been
16 an additional dialogue going forward, whether
17 charter schools--they're only another choice. No
18 one said they were better, and I'm very tired of
19 people telling me that they're better than our
20 public schools.

21 CHAIRPERSON JACKSON: That's not
22 true, I mean, I've heard, in fact I've commented,
23 I wish the Mayor and the Chancellor would focus on
24 99 percent of the schools, and not focus so much
25 on charter schools.

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2 ERNEST LOGAN: The charter schools,
3 that's cool.

4 CHAIRPERSON JACKSON: As the, the
5 one place to go when a "school, a failing school,"
6 you know, well, they've been in charge of the
7 system now for how many years?

8 ERNEST LOGAN: Eight years.

9 CHAIRPERSON JACKSON: Eight years?

10 ERNEST LOGAN: And I, and I go
11 along with you, because if a school is failing, my
12 question always is, "So what have you done to make
13 it better?" You see, Council Member Fidler talks
14 about Tilden. If Tilden was not doing well, then
15 what were you doing to make it better? Why did
16 you have to close it and reconstitute it or change
17 it, because right away when you close a school,
18 you take it out of its accountability matrix. So,
19 waits another four years before anybody knows the
20 school exists and it's counted. If they're really
21 interested in turning a school around, then you
22 put your - - in there to figure out what's wrong
23 with the school, and make that work. And then you
24 can really measure whether you're making a
25 difference. Not closing the school and reopening

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2 the school and say, "Okay, well this is a brand
3 new school, so this doesn't count for four years."
4 There are many schools that are not being counted
5 now, because they don't have four year cohort
6 data. So we don't really know who's there.

7 CHAIRPERSON JACKSON: But the
8 Washington Heights Academy is being counted, and
9 it has been given an F, and from most parents'
10 perspective, when they see an F, an F means that a
11 school is failing.

12 ERNEST LOGAN: But this is a
13 school, the Washington Heights school, there's 133
14 students there.

15 CHAIRPERSON JACKSON: Right.

16 ERNEST LOGAN: And the danger of
17 having a small school and holding it to the same
18 level of accountability of a large school, you can
19 get six children, sometimes, that don't make the
20 progress, that would make that school look like
21 it's not moving all the children. That's the
22 danger of this accountability system, this is what
23 we've talked about ongoing, that's what we've
24 tried to work on them to change. They believe in
25 a one size fits all, and that model does not work

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2 for all schools, does not work really for our
3 specialized high schools, there are many issues
4 there. Their students come in with a higher
5 level, it's hard to get the progress there,
6 because they're already at the top. And it causes
7 problems when we have schools that have large L
8 populations, or even a large homeless population,
9 where there's a transitional population going. So
10 this is not perfect, it's a start, but I think
11 that hopefully, if we continue to have oversight,
12 we'll be able to bring them in to say, "Okay, now
13 what have you done to work on this piece? What
14 have you done to work on that piece?" And it's,
15 you know, this has been the process for seven,
16 eight years, fighting this battle every year as we
17 go forward. But I just want to end with one pass,
18 one little thing. The principal's performance
19 review is made up of many components of this. But
20 this is not the only thing that you judge your
21 principals on, is the progress report, this is
22 only one aspect of it.

23 CHAIRPERSON JACKSON: Thank you.

24 ERNEST LOGAN: Thank you.

25 CHAIRPERSON JACKSON: Thank you.

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2 Next, Aminda Gentile, Vice President of Education
3 for the United Federation of Teachers. [pause]

4 AMINDA GENTILE: Hi.

5 CHAIRPERSON JACKSON: Good
6 afternoon, welcome.

7 AMINDA GENTILE: Hi, good
8 afternoon.

9 CHAIRPERSON JACKSON: Please
10 identify yourself, your position with your
11 organization, your union, and you may begin your
12 testimony.

13 AMINDA GENTILE: My name is Aminda
14 Gentile, I'm Vice President of the United
15 Federation of Teachers. I have with me Jackie
16 Bennett, who is our data maven, and clearly
17 understands the shortcomings of the progress
18 reports. I, you have our written testimony, and
19 I've gone through it after listening to all the
20 other testimonies, so that we don't have to
21 constantly repeat. But I do want to be on the
22 record from the get-go, that the UFT first, when
23 the DOE first proposed using progress reports, the
24 UFT clearly and frequently cautioned that using
25 such high stakes and--using such high stakes in a

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2 limited measure system to rate schools would be
3 misleading and risky. And I think we heard that
4 frequently this morning about how it has mislead
5 parents. And I really appreciated the questioning
6 about the Washington Heights school because an F
7 is an F, as a parent, as a grandmother, that's
8 what it says to all of us. Any system that relies
9 heavily on a single measure, such as standardized
10 test scores, is inherently flawed. Two scores,
11 one elementary, one math, and one ELA, determine
12 85 percent of the grade on that progress report.
13 As Ernie pointed out, in an eloquent way, and I'm
14 going to say it less eloquently, the schools are
15 gaming the system. They know how to target the
16 students. They have given up, as Councilman
17 Recchia had said earlier. Arts and drama and
18 trips and all the things that makes education a
19 complete experience for our youngsters. The
20 progress reports, what bothers many of us
21 educators, it's a grade, an A, a B, get this, but
22 it doesn't tell you anything about what one needs
23 to do. How does one--what are the specifics?
24 What is really problematic? And what do we need
25 to do to make a difference in the lives of the

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2 youngsters? Think about an elementary school.
3 The grades for the fourth, fifth grade, the score
4 is based on fourth and fifth graders, that's it.
5 Not kindergarten, not first, not second--and I am
6 not suggesting that we start to test those
7 youngsters. But I want you to get a limited
8 picture that we are talking about two grades and,
9 and some third, that really impact the decision of
10 that progress report grade. And yes, it is true
11 that some of the progress report grade is based on
12 the school surveys--that's very limited. When we
13 think about safety, and that's been an issue in
14 our school system, only 2.5 percent of that report
15 addresses safety in a school. So that's a problem
16 for us, as well. As I said earlier, we present
17 parents and the public with a grade, and that
18 grade says whether a school is bad or good.
19 Parents could read that report, they can look at
20 all the different data that's there, but they
21 still see in most glaring terms, an A or an F.
22 And when we were putting this together, and I have
23 to read this piece, because it's very important,
24 we want to make this point. It is a system built
25 in ways akin to the recent failures we have seen

1 on Wall Street, where investors ran after the
2 short term money gains, never mind whether the
3 fundamental system was sound. The nation suffered
4 as a result. Similar behavior is encouraged in
5 the schools by high stakes, short term
6 accountability measures, such as these progress
7 reports. Principals and our teachers do
8 everything they can do to get the grade up. The
9 way to get the grade up is to improve the scores.
10 And so this creates an unhealthy drive to get
11 scores up, and accumulate credits by any means.
12 You give up the arts, you give up the science,
13 getting rid of the special programs, the plays,
14 etc. Our members have done an extraordinary job
15 over the last few years. We all have concerns
16 about the reliability of the state tests, and I do
17 appreciate, I'm not so sure if it was, Jim
18 Jackson, that said earlier, we will see changes in
19 those progress reports next year, there's no doubt
20 about it. We're going to see, the As and Bs are
21 going to drop, that test is going to be more
22 difficult, and as a result, we are going to see.
23 So does that make this wonderful A school all of
24 the sudden by one test score, drop to be a D or an
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2 F? Like others, we are surprised that entire
3 districts suddenly eradicate the difficulties of
4 all struggling students. Some districts virtually
5 have no level one students at all. Nonetheless,
6 in spite of these concerns, scores have been
7 rising for our students for the past ten years,
8 pre-Klein, because of the work, our teachers,
9 regardless of the system under which they have
10 worked. We would be happier with the progress
11 reports that reflected the true work of our
12 teachers, which cannot even come close to be
13 measured simply by manipulating test scores into
14 high stakes document like these. As I have said,
15 the reports are a work in progress. We at the UFT
16 hope that you will consider the concerns we
17 raised, as the Department of Education decides how
18 best to proceed and to continue this use in our
19 school system. Thank you.

20 CHAIRPERSON JACKSON: Well, let me
21 thank you for coming in, giving testimony. Let me
22 turn to my colleague, Lew Fidler. And he was the
23 one that talked about that you bet, you better
24 believe that As and Bs are going to drop off next
25 year.

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AMINDA GENTILE: And we concur.

COUNCIL MEMBER FIDLER: Well, and actually, it's, you know, I raised that, I said it's going to affect the standards, but I also made the prediction, and I'm going to stick with it, that if the same people are running the system, they will adjust the formula for progress report to not wind up giving out Cs and Ds, because I really, you know, I really think that's what they're concerned with, that you know, this is, you know, the legacy issue for the administration. Yeah, looking good, yeah, looking good instead of--

AMINDA GENTILE: Looking great.

COUNCIL MEMBER FIDLER: Looking good instead of doing good. I just wanted to just briefly ask you about the credit recovery issue that I raised with Ernie Logan. Do you agree that it has been unsupervised, that there is incredible pressure upon the school system to grant it, and that it is being used more excessively than it had been in the past? Say, pre-Klein.

AMINDA GENTILE: It is hard to know, but we have a tendency to believe that that,

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2 that it has, it's a worse situation than it was in
3 the past.

4 COUNCIL MEMBER FIDLER: I--

5 AMINDA GENTILE: I'm trying to be--

6 COUNCIL MEMBER FIDLER: You're
7 trying to be politic--

8 CHAIRPERSON JACKSON: Are you
9 trying to be diplomatic?

10 AMINDA GENTILE: I'm trying to--I
11 started out saying we're gaming the system, but--
12 [laughs]

13 COUNCIL MEMBER FIDLER: Okay.
14 Well--

15 AMINDA GENTILE: I'm not just - -

16 COUNCIL MEMBER FIDLER: I wish you,
17 you know, you wouldn't be, because quite frankly,
18 when I explained it, you know, I raised my mother
19 earlier as a former PTA president, when I tell her
20 about credit recovery, her eyes bulge out of her
21 head. And if she was the PTA president in a
22 system where the PTA presidents weren't willfully
23 ignored by the Department of Education, this crap
24 wouldn't happen. Alright? And it is an outrage,
25 and I'm going to continue with the Chairman to

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2 continue to beat on this issue because it is just
3 that and the way they dismiss 20 percent of the
4 kids who enter ninth grade from their graduation
5 rates, because they've allegedly, you know, 'cause
6 we don't know where they are, they must've moved,
7 as opposed to they just dropped out. You know,
8 the way they game the statistics to try and tell
9 everyone that all is well, all is well, reminds me
10 of the closing scene of "Animal House," when
11 there's a riot going on and Kevin Bacon is
12 standing there going, "All is well, all is well!"

13 AMINDA GENTILE: [laughs]

14 COUNCIL MEMBER FIDLER: It's just
15 not the case. And despite poll numbers that say
16 that people buy into it, it's because they don't
17 know about credit recovery, they don't know how
18 they're cooking the books on graduation rates.
19 And so I'm going to keep on asking about it, and
20 you need to be candid about it--

21 AMINDA GENTILE: Right.

22 COUNCIL MEMBER FIDLER: And not
23 diplomatic.

24 AMINDA GENTILE: And, well it isn't
25 that being diplomatic, you want to, I don't want

1
2 to paint one picture for every high school. But I
3 know that we have heard over and over again of a
4 number of our high schools where, and as I say in
5 this testimony, that there's, they're developing
6 schemes to move this agenda. That the teachers
7 feel that this has been taken out of their hands;
8 that there are legitimate reasons for students to
9 take a different test, a different assignment, but
10 that should be left to the teacher, not to those
11 above them to make some decisions about what
12 additional information to pass that--

13 COUNCIL MEMBER FIDLER: And with
14 some parameters, and with some parameters--

15 AMINDA GENTILE: Well, there has to
16 be a framework.

17 COUNCIL MEMBER FIDLER: --and
18 supervision, yes.

19 AMINDA GENTILE: Absolutely. I
20 think Ernie pointed it out, hopefully that, he
21 said in the last month things have changed. Well,
22 we're hoping, we'd like to see it, though.

23 COUNCIL MEMBER FIDLER: Me, too,
24 thank you.

25 AMINDA GENTILE: [laughs]

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2 CHAIRPERSON JACKSON: I guess you
3 were here when I referred to the articles on the
4 allegations of the Legman High School principal
5 and the, and also about the report that was buried
6 in the DOE's website on charter schools and how
7 the local schools are outperforming them on
8 progress reports?

9 AMINDA GENTILE: Yes.

10 CHAIRPERSON JACKSON: But can you
11 just tell me, what is the difference in dealing
12 with a student, as far as, you know, how much more
13 time and how much more energy that you need in
14 dealing with the students that are with special
15 needs, and/or students that are English language
16 learners. Because the statistics show that the
17 local schools, it says here, "Special education
18 students made up, make up 16.4 percent of students
19 at the traditional public schools, compared to 9.5
20 percent in those at charter schools." And it also
21 says that, it says in the public schools, non-
22 charter, 15 percent of district schools are not
23 proficient in English, and the same is true only
24 at about four percent of charter schools. As the
25 Vice President of UFT, how much more difficult it

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2 is in order to, or not difficult, how much more
3 challenging it is to, for students that need more
4 help? Do these students need more help than the
5 average student, for example?

6 AMINDA GENTILE: They need
7 different help, they need targeted help. And I
8 think that in many of the charter schools, because
9 many of them are small, they may not have teachers
10 totally prepared who are certified in special
11 education, and certainly in English as a foreign
12 language--ELL students, to help. I think it's
13 about targeting, I think it's about having the
14 right teachers, to be able, who are knowledgeable
15 and skilled, and be able to provide that
16 instruction. Those classes for our youngsters,
17 they do need to be smaller, initially, as they're
18 helping them hone their skills. I was, we, our
19 data does say that many of the charter schools,
20 they select their students. Even though--

21 CHAIRPERSON JACKSON: But wait, no,
22 no, that, they say that's not true.

23 AMINDA GENTILE: I know.

24 CHAIRPERSON JACKSON: They say
25 that--No, I'm telling you what that, they say that

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2 everything is on the lottery. Now you're saying
3 they select their students. Come on, tell me why
4 do you say that? Versus a lottery where they put
5 all of their names in a bowl, and they call out a
6 number--365, 184--and those students are then
7 selected into the school.

8 AMINDA GENTILE: Jackie reminds me,
9 'cause I'm thinking of our own charter school.

10 CHAIRPERSON JACKSON: Okay.

11 AMINDA GENTILE: We have two
12 charter schools as you do, well know. We have a
13 very large percentage of special education
14 students, especially in our elementary school. It
15 is easy to be able to say to the parents, and we
16 have not done it, that this school doesn't have
17 the additional funds and the additional support
18 for your youngster. So, yes, they may come in,
19 they may be selected, but then in a conversation,
20 I have to point out, I have to be honest with you,
21 and say we may not have the programs that your
22 youngster needs. In a way, we are helping the
23 parent select themselves out.

24 CHAIRPERSON JACKSON: Well--

25 AMINDA GENTILE: I think that is

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done frequently, and I--

CHAIRPERSON JACKSON: Well, as far as I'm concerned, just like I had said earlier, the Department of Education representative says, you know, they shouldn't look at it as an F as a failing school, they should go beyond that F and look at all of these other elements and then make a decision, but as I said, the average parents, and like you said, they see an F, they see a failing.

AMINDA GENTILE: That's it.

CHAIRPERSON JACKSON: They see an A, an A is an A, meaning that you're doing excellent. And what I just heard, what you said, my interpretation of that is, that's discrimination. That's my, that's what I assessed out of that. I assess, my mind said, that smells and sounds like discrimination to me.

AMINDA GENTILE: Their funds may be limited. I can't, I know that practice happens, it's a very simple thing to say, we just don't have the right people to help your youngster. Let us help you find--we did not do that in our school, we made--and the reason I know, because we

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assessed, we saw what was going on, and we made the deliberate decision to make sure that we had the right people for every youngster.

CHAIRPERSON JACKSON: Well, let me thank you for coming in, representing your union.

AMINDA GENTILE: Thank you.

CHAIRPERSON JACKSON: How many members do you represent?

AMINDA GENTILE: We have about 80,000 teachers, and we're over 100,000. We just had, we just have about 30,000, the family day-- Right? 38,000, childcare providers.

CHAIRPERSON JACKSON: Wow.

AMINDA GENTILE: We will honor them on Sunday at our teacher union day.

CHAIRPERSON JACKSON: Excellent.

AMINDA GENTILE: 38,000, it's wonderful.

CHAIRPERSON JACKSON: Thank you.

AMINDA GENTILE: Thank you so much.

CHAIRPERSON JACKSON: Thanks.

AMINDA GENTILE: [laughs]

CHAIRPERSON JACKSON: And next, we're going to hear from Glenn von Nostitz, who is

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2 the Comptroller's Office Representative. Oh, and
3 we've been joined by our colleague from Manhattan,
4 Jessica Lappin. [pause] Just please identify
5 yourself, your position with the Comptroller's
6 Office, and you may begin your testimony.

7 GLENN VON NOSTITZ: My name is
8 Glenn von Nostitz, and I'm Director of the Office
9 of Policy Management in the Comptroller Thompson's
10 Office. Good afternoon, Chair Jackson and Council
11 Member Lappin. I appear before you today to
12 express the Comptroller's deep concerns regarding
13 the accuracy, the meaning and the educational
14 consequences of the Department of Education's
15 school progress reports. Does anyone truly
16 believe that practically every school in our City
17 deserves an A or a B? Of course not. The main
18 reason why this year's letter grades are grossly
19 inflated is that DOE based them overwhelmingly on
20 the results of the State's ELA and math tests. As
21 you know, for K to 8, 85 percent of the progress
22 report letter grade is determined by the results
23 of these tests. For a number of reasons, these
24 tests should not serve as the basis for any sort
25 of school letter grade system. First, the massive

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2 increases in State test pass rates in recent years
3 defy credulity. From 2006 to 2009, New York
4 City's math test pass rate for grades three to
5 eight jumped from 57 percent to nearly 82 percent,
6 and increase of 25 points. And as you know in
7 2006, that's the year they added grades three,
8 five, six and seven to the State's testing
9 program. For the same time period, the math test
10 pass rate in Buffalo climbed from 29 percent to
11 over 63 percent, an increase of over 34 points,
12 more than doubled. Is there a single educator who
13 believes that this increase had any correlation to
14 actual increases in student academic proficiency?
15 If it did, we would all be discussing how to
16 replicate the Buffalo miracle. During the same
17 period, Rochester saw a 31.4 point pass rate
18 increase; Syracuse's pass rate rose 28.1 points,
19 both exceeding New York City's 25 point increase.
20 Similar increases were seen on the ELA tests.
21 Educational testing experts will tell you that it
22 is highly implausible for any district to achieve
23 pass rate increases of ten percentage points or
24 more in a single year, to have these actually
25 reflect academic proficiency as occurred in the

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2 ELA tests in Buffalo, Rochester, Syracuse, Yonkers
3 and New York City from 2008 to 2009, and for
4 scores to keep on increasing year after year. And
5 I point out the average scale scores also rose
6 incredibly. So, what's happening? This brings me
7 to our second point, which is that test results
8 soared in part because grading of the test has
9 become easier. As the New York Times has
10 reported, whereas three years ago seventh graders
11 in New York were required to answer 60 percent of
12 questions correctly, to receive a passing grade on
13 the State math exam, for the most recent test,
14 threshold to pass was lowered to 44 percent. The
15 threshold was lowered in every other grade, as
16 well. While the resulting 86 percent pass rate
17 statewide on the math test may seem impressive,
18 the improved scores clearly reflect scoring
19 gimmicks rather than improved performance. The
20 suggestion that State test grading has gotten
21 easier is also supported by the fact that
22 virtually no students scored at level one in 2009.
23 It has been noted, for example, that out of about
24 70,000 sixth graders who took the ELA test this
25 year, a mere two-tenths of a percent scored at

1 level one. That's two out of every 1,000
2 students. That's amazing. Back in 2005, the
3 Education Department trumpeted a 12.5 percent ELA
4 level one rate as a major accomplishment. In an
5 appalling revelation, the New York Daily News this
6 summer that it's possible to score a level two on
7 state exams by guessing on the multiple choice
8 questions. That is truly a disgrace. Thousands
9 of children wrongly received level two scores this
10 year despite the fact that they cannot read or
11 comprehend at close to grade level. Had they
12 received the more appropriate level one grade,
13 these students would've required to attend summer
14 school. Denying students that opportunity flies
15 in the face of Mayor's supposed commitment to
16 eliminating social promotion, and reveals a truly
17 breathtaking cynicism. The third reason why the
18 State's standardized exams must not be so closely
19 tied to a school's progress reports is that these
20 tests have become entirely too predictable,
21 enabling, and in fact encouraging, our teachers to
22 teach to the test. One expert who analyzed the
23 State's fourth grade math tests found that by
24 2009, 90 percent of the test points were
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2 determined by topics that appeared multiple times
3 in the prior four years, "Often in questions
4 virtually identical to past years." Another
5 expert found at least 14 of 30 multiple choice
6 questions in the 2009 seventh grade math test had
7 appeared in similar form in previous tests. She
8 also found that only about half the math skills
9 the State requires seventh grades to learn have
10 ever been tested in the four years the State has
11 administered the exam. The release two weeks ago
12 of State scores on the fourth and eighth grade
13 National Association Assessment of Educational
14 Progress in Math provides us with conclusive
15 evidence that the State tests do not credibly
16 measure changes in academic proficiency. Instead
17 of 87 percent pass rate for New York State fourth
18 graders on math tests, the NAEP exams show that a
19 paltry 40 percent met the minimum standard. In
20 eighth grade, only 34 percent of students passed.
21 That's barely a third. Yet do we in this
22 administration continue to trumpet the wildly
23 exaggerated gains suggested by the State test
24 results? The New York Times has posted an
25 interactive online feature that permits anyone to

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2 look up pass rankings of the State's 695 school
3 districts on the most recent ELA and math tests,
4 as well as the State social studies and science
5 tests. Our office reviewed that data and
6 discovered that even with the huge gains trumpeted
7 by the Bloomberg Administration, many of our
8 school districts still rank at the bottom of New
9 York States 695 districts. Pass rates for nine of
10 the City's 32 districts ranked in the third
11 percentile or lower on the ELA exam. Five of our
12 districts also ranked in the third percentile or
13 lower for the math test. Perhaps one of the most
14 disturbing consequences of using the State test as
15 the basis for progress report letter grades is
16 that it discourages the teaching of other critical
17 subjects. Because letter grades are based on ELA
18 and math test results, there is a disincentive to
19 spend class time teaching science and social
20 studies in the arts and music and so on. The
21 Bloomberg Administration conveniently does not
22 mention the City scores and the State's
23 standardized tests in science and social studies.
24 Maybe that's because New York City's results have
25 been much worse than on the ELA and math tests.

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2 When we average the New York City rankings on the
3 New York Times website, our city was at the 18th
4 percentile in ELA results statewide, 30th
5 percentile on math; however, on science, we were
6 at only the 7th percentile; social studies, only in
7 the 9th percentile. Even our districts that did
8 comparatively well on ELA and math did not do
9 nearly as well on science and social studies. And
10 just a couple of examples, for example, district
11 three: 47th percentile in ELA, 50th percentile on
12 math, 8th percentile in social studies, 4th in
13 science.

14 CHAIRPERSON JACKSON: You said 80?

15 GLENN VON NOSTITZ: It was,
16 according to the rankings, the percentiles, and
17 this is how they rank among 695 districts, 50th
18 percentile math, 47th on ELA, 4th on science, 8th on
19 social studies. District 15: 29th percentile on
20 ELA, 41st on math, 7th on social studies, 9th on
21 science. Okay, District 25: 61 percentile ELA,
22 85th percentile math, 25th percentile social
23 studies, 16th percentile science. There's an
24 enormous disparity here, which, you know, clearly
25 indicates where the, where, you know, teaching to

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2 the test and spending most of our time on ELA and
3 math preparation, to the detriment of science and
4 social studies. When the federal government
5 tested science in 2005, two-thirds of New York
6 City's eighth grade students were at the lowest
7 possible rating. Our success as a City requires
8 that we make a more concerted effort to teach
9 these subjects. How will future generations
10 compete for technology jobs, seek solutions to
11 conflicts in their many communities, or find
12 energy savings through green building, if we do
13 not spark our children's interest in science and
14 civics at an early age? 50 years after the *Brown*
15 *v. Board of Education* decision struck at the
16 fundamental unfairness of the separate but equal
17 standard in education, gross disparities remain.
18 Rather than mask these disparities with imaginary
19 achievement gains, it's time to get back to the
20 basic priorities like curriculum, instruction and
21 learning. Those are the priorities that will open
22 new doors of opportunity for our young people and
23 give them hope, and those are the priorities that
24 will help us grow our local economy and keep us
25 strong long into the new century. Thank you very

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much.

CHAIRPERSON JACKSON: Well, let me thank you for giving I guess some statistics regarding the current situation with respect to our students' scores, comparatively statewide and based on the national exams that results that recently came out. What I've assessed from what you basically read is that we here in New York City, via the Department of Education, is saying that we're doing very well, compared to before. But in reality, when we compare ourselves now, to the rest of the State and the rest of the country, New York City is not doing so very well, we're not looking as good as the Department of Education profess us to look.

GLENN VON NOSTITZ: Well, according to these percentiles, which are the most recent ELA, math, science and social studies tests, that's where we rank, and especially low on the science and social studies. These figures are very, you know, pretty disturbing.

CHAIRPERSON JACKSON: So, based on those figures as far as science and social studies, compared to the numbers that you gave

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2 statistically on English and math, a conclusion
3 can be drawn that we're focusing on the English
4 and math tests--

5 GLENN VON NOSTITZ: Mhm.

6 CHAIRPERSON JACKSON: --and as some
7 people have criticized, the Bloomberg
8 Administration is focusing on test preparation
9 rather than teaching the whole, entire child.

10 GLENN VON NOSTITZ: Yeah, and also
11 why it's somewhat unfair to compare New York City
12 and the rest of the State, too, where based on
13 this, at least, they're spending more time on
14 social studies and science, and whereas here we
15 are really focusing very much on ELA and math.

16 CHAIRPERSON JACKSON: Now, in your,
17 in the testimony, is this your testimony or
18 Comptroller's testimony?

19 GLENN VON NOSTITZ: Well, it's
20 Comptroller's testimony.

21 CHAIRPERSON JACKSON: Okay, but in
22 here, you mention that New York City, you know,
23 you've heard the saying, "The Big Five."

24 GLENN VON NOSTITZ: Right.

25 CHAIRPERSON JACKSON: The Big Five

1
2 are the Big Five school districts in the State of
3 New York, New York being number one, Buffalo
4 number two, in size, Rochester, Syracuse and
5 Yonkers. Now, and then you reference in here that
6 of the Big Five, based on a watered down, and
7 that's my terminology, State test, where for
8 example you cited in the Comptroller's testimony a
9 previous year that 60 questions had to be answered
10 right in order to pass, and now it was 44
11 questions. Based on that, you were saying that of
12 the Big Five, New York City had the lowest
13 percentage of increase, even though it was 25
14 points increase, but you said Buffalo, Rochester,
15 Syracuse and Yonkers, all of their increases were
16 higher than New York City.

17 GLENN VON NOSTITZ: Well, let's
18 see, on ELA, from 2006 to 2009, New York went up
19 about 18 points, Buffalo 24, Rochester about 18,
20 17.6, Syracuse 18.7, Yonkers 14.1. So, that's
21 where we stand. On the math, New York City was up
22 about 24.8, Buffalo 31.4, Rochester 30.3, Syracuse
23 28.1, and Yonkers 20.9. So, a few of them were a
24 little less, or, and some were somewhat more.
25 Yeah.

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2 CHAIRPERSON JACKSON: As someone
3 who analyzes information as a policy person, what
4 can be drawn, what can a parent conclude out of
5 all of this? I'm talking about the average parent
6 who's not an accountant, who's not a statistician,
7 who's not a policy analyst. What can they draw
8 from the Comptrollers' testimony?

9 GLENN VON NOSTITZ: Well,
10 essentially that these scores don't really mean
11 anything as far as actual academic achievement is
12 concerned. That these increases are, as we
13 explained, changes in the scoring and so on, it's
14 almost impossible that you would get in Buffalo
15 more than doubling of the pass rate in just a
16 couple of short years, it's just not done. If you
17 look at other tests in the NAEP, for example, it's
18 been pointed out, you don't get those kinds of
19 jumps from one year to another. It's just not,
20 not logical.

21 CHAIRPERSON JACKSON: Well, I want
22 to thank you for coming in and giving the
23 testimony for our Comptroller, Bill Thompson, and
24 giving your responses to my question, which helped
25 me to, I guess, clarify the perspective from

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another angle. Thank you very much.

GLENN VON NOSTITZ: My pleasure.

CHAIRPERSON JACKSON: And next, we're going to hear from Martha Foote, Time Out from Testing; Martin Krongold, Citywide Coalition of High Schools; Akbar Herndon from PS 366, which is the Washington Heights Academy; and Gresha Tesalona, also from the Washington Heights Academy. Please come forward. [pause] Please have a seat. Yeah, give it to the Sergeant-of-Arms. [pause] Okay, so please sit down, you may begin your testimony. Just identify yourself, and you may begin.

AKBAR HERNDON: Thank you. My name is Akbar Herndon. I'm one of the founding parents actually of PS 366, and I'm also an educator. I don't teach at Washington Heights Academy. As you've heard already, our school received an F as its first grade after two years of certification as a school. We existed before then as a program, and that's why in our first year we had one grade, a third grade who was the first testing year, and that needs to be sort of understood. That in our first year, we couldn't have a progress report

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2 because there was no history for the testing
3 years. By fourth grade, that same class became
4 eligible for comparison for progress. In that
5 first year of progress report, 33 students are the
6 total number of students graded and compared with
7 previous years. Those 33, of those 33 students,
8 eight came into our school in that year. So, that
9 brings a percentage of scoring that we're not
10 responsible for, but we certainly want to be
11 responsible for all of our students, so we've
12 accepted what this F inspires us to do better in
13 terms of making sure everyone progresses
14 significantly. But we feel it's a distorted
15 sample size. And part of what we think the
16 solution is, as began to evolve with Chairman
17 Jackson's questioning and the DOE, is that a new
18 school should be exempted to some degree, or at
19 least advised that, you know, this is where you
20 stand, here's what's needed, focus differently,
21 somewhere or the other that you have space to
22 grow, as you did previous to two years ago, as a
23 new school. We also, the peer idea, the peer
24 student, peer schools, that data is always one
25 year old, because for us, the data for free lunch

1 and other demographics, was collected in
2 2006/2007, applied to 2007/2008, as a peer
3 selection group, assigned peer selection group.
4 Our fourth grade is heavily ELA, and a free lunch
5 economic status, and was not reflected in the
6 school's whole by the time of that test. So we're
7 being compared with schools in Queens, schools
8 across the City, who we are sure is not of the
9 same demographic and peer relationship. So bottom
10 line, we feel that there are a couple things
11 there, in this case peers of the students taking
12 the test, needs to be comparable to the peer, they
13 should be compared with peers of the test takers,
14 not just of the entire school. And in fact, if we
15 were compared to our own district, and the DOE
16 says that this is supposed to be a tool for
17 parents to select and understand the quantity and
18 quality of the school they're choosing, it should
19 be with our own peers, in district six, where
20 we've already heard Councilman Jackson mention
21 that we had the fourth highest ELA scores, and the
22 seventh highest math scores. So, again, we feel
23 that there's some distortion there. And finally,
24 ant to mention that in terms of consequence, this
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2 isn't just a matter of stigma. We applied to be a
3 K through 8 originally; we were told when we were
4 granted school status, that we would be granted K
5 through 5 until such time that we had a space for
6 K through 8. We, Councilman Jackson knows, we
7 have trailers, we are in temporary trailers right
8 now, we don't have a cafeteria, we don't have a
9 library, but we do have an art room, because
10 that's where our priorities are. We do have a
11 music and movement room, but we have nowhere, we
12 have nowhere else to grow to. As far as we know,
13 the award of the building we received two years
14 ago is still on schedule, but only as a K through
15 5, because as now try to apply for the full K
16 through 8 that we were promised, we're being told
17 that the progress report is why we're not going to
18 be, not even an application denied, we're not
19 being permitted to apply. We're not being
20 permitted to even submit an application. They
21 gave two reasons, but the other reason was the
22 number of seats in District Six not showing a need
23 for. But it was made clear that the primary
24 reason is the progress report. So, it's not, this
25 isn't just a matter of an image that we can shake

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2 in a year, which we know we will shake in a year.
3 We are seeing real consequences and we're
4 contesting it, we're trying to approach any help
5 that we can find to renegotiate that decision.
6 But right now it means that our fifth grade class,
7 the people who have been with our school the
8 longest, won't be going on with our school next
9 year. They're all forced to apply elsewhere. And
10 even if we're granted grade reconfiguration in one
11 year, they are not part of our school. So, this
12 has had a very strong ramification already.

13 GRESHA TESALONA: Hi, everyone, my
14 name is Gresha Tesalona [phonetic], and I'm one of
15 the parents of Washington Heights Academy. And I
16 come here as a parent, I am not an educator, I
17 don't know the DOE system, you know, and when I
18 first heard that our school received an F grade, I
19 was surprised. Because I see how our children are
20 thriving in the school. 100 percent of our third
21 grade students in 2008/2009 received levels three
22 and four, performed at levels three and four, in
23 both ELA and math. 100 percent. But that was not
24 published anywhere, and you can't find that
25 anywhere in the DOE website. So, when I received

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2 more information about progress reports and how
3 we're compared to peer index, and those things, I
4 just became more confused. And I looked at the
5 data myself, and said, "I live in District Six,
6 this school is in District Six, the school that
7 we're forming is in District Six. I want to see
8 how our school performed against District Six
9 schools." And you stated that that, in the
10 findings earlier, and what I also found was that
11 the school, who actually received the lowest
12 percentage of students performing at levels three
13 and four in both ELA and math, received a progress
14 report grade of an A, while we received an F. You
15 know, and for me as a parent, I don't understand
16 how that could be an accurate portrayal of the
17 quality of a school. And that's what I question.
18 Why does the DOE place more emphasis on progress
19 than it does on actual performance? We applaud
20 progress, our schools need to progress, but our
21 school is performing. And now they're using that
22 against us to not apply for middle school
23 expansion. And that's unfair for all of our
24 families who've always believed that this school
25 was going to expand from kindergarten to eighth

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2 grade. The progress report, progress and
3 performance is different. And the DOE chooses to
4 highlight what it wants to, but does not give the
5 entire picture of the quality of a school. They
6 published a score, they published a progress
7 report score, but they don't explain it, and
8 that's unjust, and that's unfair, and our children
9 are now being jeopardized, because of that.

10 AKBAR HERNDON: Can I add one
11 thing? It's not that our fourth graders didn't
12 progress last year, it's in relation to peer
13 comparison with that select group, which is a
14 pretty high level group, and not matching that
15 peer group. It's not that they didn't progress,
16 they did progress. But when you come to this
17 comparison, you can have progress and still lose
18 points if that group you're compared with
19 progressed more.

20 GRESHA TESALONA: Our in--I'm
21 sorry. In 2007/2008, in grade three, those
22 students in ELA, 43 percent of them performed in
23 levels three and four. In 2009, 62.1 percent of
24 them performed in levels three and four. That's a
25 19 percent increase, but that's not shown in the

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2 progress report. In math, in 2007/2008, sorry--
3 Let's see. Over 80 percent of them scored in
4 levels three for math. And there was a slight
5 increase also in this past year for, in terms of
6 performance, but that's also not shown in the
7 progress report, because it's skewed by the peer
8 comparison index.

9 AKBAR HERNDON: It's easier to show
10 progress if you have ones and twos. You know, if
11 you start with a 2.1 to get up to a 2.5 is
12 progress. When you have 80 percent of the kids
13 already scoring threes, it's more difficult to who
14 progress, but that is still our charge as a
15 school, and we want to also make sure those high
16 achievers progress. But that's what's coming
17 through as not enough progress.

18 GRESHA TESALONA: My child received
19 a 4.5 last year, in both ELA and math in third
20 grade. Now, if this year she receives a 3.7 in
21 fourth grade in the statewide exam for ELA and
22 math, which is still an incredible performance,
23 those are still points that get deducted from the
24 school.

25 CHAIRPERSON JACKSON: Well, I saw

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2 you sitting there all during the testimony, so you
3 got to hear what the Department of Education had
4 to say, the Council of Supervisors and
5 Administrators, UFT, the Comptroller's Office and
6 I hope that you've learned something here today as
7 a result of this hearing, so that we can go back
8 and try to, I guess resolve the situations that
9 are outstanding at the Washington Heights Academy.
10 And I've asked my staff member, also, that we'll
11 follow up on your application being denied the
12 opportunity to even apply when the commitment was
13 made, that the school would be K to 8. We will be
14 following up on, with you and with the incoming
15 Council Member--

16 AKBAR HERNDON: Rodriguez?

17 CHAIRPERSON JACKSON: Yeah, that's
18 my--yes. So, Adonis Rodriguez, who is, as you
19 know, an educator, 14 years as a history teacher
20 at the Luperon High School. Okay, thank you both
21 for coming in.

22 AKBAR HERNDON: Thank you very
23 much.

24 CHAIRPERSON JACKSON: Next, we'll
25 hear from Martha Foote, Time Out from Testing, and

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2 then from Martin Krongold, from the Citywide
3 Council on High Schools.

4 MARTHA FOOTE: Thank you, Chairman
5 Jackson, for granting me this opportunity to speak
6 today. My name is Martha Foote, I am a New York
7 City public school parent and a member of Time Out
8 from Testing, a parent organization that advocates
9 against the misuse of standardized testing.

10 Simply put, the Department of Education under
11 Chancellor Joel Klein and former Accountability
12 Chief Jim Liebman, with blessings from Mayor
13 Bloomberg, has implemented a patently flawed
14 system for judging schools. As other speakers
15 have testified, this system overly relies on the
16 State's standardized tests, uses a statistically
17 unsound definition of progress, and ignores myriad
18 important factors that make up a good school. And
19 I have to mention as a parent I really bristle at
20 the DOE's assertions that the report cards are a
21 useful tool for parents. The formula is
22 incomprehensible, the granting of a single letter
23 grade is demeaning to a school, and the fact that
24 97 percent of elementary and middle schools
25 received an A or a B this year, is further proof

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2 of how invalid and useless these grades are. As
3 the principal at my son's school told the parent
4 body at the first PTA meeting in September, "We
5 got an A this year. So did 87 percent of the
6 elementary schools in the City. It means
7 nothing." I could go on and on but I want to
8 bring up one point that the DOE has repeatedly
9 glossed over: the punishing effect this system of
10 grades has had on many of our schools, principals,
11 teachers and children. Maybe not so much this
12 year, an election year, when Mayor Bloomberg wants
13 us to feel good about all our improved schools,
14 but certainly in years one and two, and as if
15 being promised for the future. Schools are now
16 branded with a simpleminded letter grade, derived
17 from a formula riddled with errors. Those schools
18 unfortunate enough to have received a C, D or F in
19 the past two years have had to endure public
20 humiliation, a perpetual threat of school closure,
21 a drop in applications in middle schools, and hour
22 upon hour of extra paperwork demonstrating their
23 improvement plans. Many of these schools are
24 excellent schools on any reliable measure, but
25 still they have had to unfairly bear the stigma of

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2 an erroneous judgment. Bloomberg and Klein have
3 declared that this is a good thing, that these
4 grades are a way to prod principals into improving
5 their schools. But what's their favored method of
6 improvement? More test prep, perhaps? Got to get
7 those test scores up. And what happens when
8 nearly every school receives an A? With an A,
9 where's the motivation for a school to look
10 honestly at itself and discover new ways to help
11 students? And I just as an aside want to point
12 out that in the Daily News this week, there was an
13 article about a school where the principal would
14 not allow children, a child, to go into enrichment
15 classes in the arts, because her test score wasn't
16 high enough. It was a three-point-something, but
17 it wasn't good enough. Time Out is investigating
18 this, we have found out this is not an isolated
19 case at this school, there are more children who
20 have been harmed by this. So what do we at Time
21 Out recommend to assess and improve our schools?
22 First of all, let's scrap the school progress
23 reports. Stop relying so heavily on these
24 perpetually flawed standardized tests and stop
25 this infantile policy of shaming and paying.

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2 Instead, the DOE should work with schools, not
3 against them. Some quick ideas, and these are
4 ideas that are based in research and have showed
5 that really work to improve schools. Use an
6 inspectorate system similar to that used by the
7 National Association of Independent Schools, which
8 entails teams of principals and teachers who truly
9 understand schools, to visit, observe, interview,
10 report and recommend. Not the school quality
11 reviews we have now, which really are a sham, but
12 something that's really deep and complex. Treat
13 teachers as professional, and set up structures
14 within schools so faculty can regularly observe
15 and give one another feedback for improvement.
16 Allow time for faculty to discuss among themselves
17 the important work of teaching and curriculum.
18 Have schools demonstrate that each student is
19 known well for all her complexity as a learner,
20 and for all her complexity as an individual child,
21 not just for her test scores. School progress
22 reports are an invidious policy that is hurting
23 our schools, and hurting our children, who are
24 being undereducated with a steady diet of test
25 prep. Help the schools that truly need help, but

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stop this political game of mock accountability.
Thank you.

CHAIRPERSON JACKSON: Thank you.

Next, last but not least, Martin.

MARTIN KRONGOLD: Thank you very much. I'm a member of the Citywide Council on High Schools. And we care very much about all schools. I used to be on a CEC myself. There's been much criticism of the DOE's use of data, via the progress reports and other measures. The most ballyhooed alternate has been the Federal NEP reports, another data measure. I've never been comfortable with the use of NAEP data because it assumes the Bloomberg Administration has been the sole reason why the Board of Education was finally excised as an incompetent oversight body. In truth, the responsibility for gutting the Board of Education and starting to dismantle its bureaucracy started about seven years before in the Giuliani Administration, who under a few chancellors demanded less politics and more accountability. This has been extended with a measured vengeance by this administration. I did a Google on NAEP, and it turns out that the

1 federal government has been doing these tests
2 since 1969. I found New York State data going
3 back to 1990. New York City and other larger
4 urban area data goes back to 2002 for English and
5 2003 for math. I think that's an interesting
6 coincidence, based on No Child Behind in New York
7 City, and Bloomberg doing No Child Behind. When
8 you compare New York City to New York State, New
9 York City has outperformed New York State in three
10 out of four categories. They are directionally
11 significant, though not likely statistically
12 significant. To be statistically accurate NAEP is
13 a different measurement than the progress reports,
14 and more statistically accurate longitudinally.
15 But, it's a big but, progress reports do what
16 they're supposed to do, and that is compare year
17 to year improvement or decline of statistical
18 progress on the yearly New York State tests. More
19 importantly, progress reports show where there are
20 great schools and leadership are, regardless of
21 location or socioeconomic status. Kids are no
22 longer blamed because of their lack of progress.
23 And school leadership is more focused with the
24 info it needs to make informed decisions. What we
25

1 don't know, however, and it's been brought out
2 today, is how the numbers are raised or lowered
3 each year, to determine the ones, twos, threes and
4 fours. We don't know whether getting 40 percent,
5 50 percent, or 90 percent of the answers correct
6 on a standardized test reflects adequate knowledge
7 for a student who gets a three. No matter how
8 these numbers are finessed, when we compare to New
9 York State year-to-year, any inherent bias in them
10 still reflects progress or lack thereof, for that
11 year to year comparison. Comparing it over
12 several years would be a hoax, and it should be
13 resisted by independent thinking people. NAEP is
14 much better for long term comparison. Despite
15 Diane Ravage's contention that the NAEP is a gold
16 standard, it depends how you look at it. New York
17 City data has not been around that long. If you
18 look at New York State going back to the early
19 1990s, there has been significant improvement
20 between ten and 25 points in each category, except
21 eighth grade English, where data only goes back to
22 '98 and has been flat. Under Rudy Giuliani, the
23 increases in progress reports based on Bloomberg
24 variables, would likely have been much greater,
25

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2 since statistical jumps are greatest when troubled
3 institutions first experienced a turnaround, as
4 the Washington Heights School gave an example of
5 in the reverse direction. To finalize, we should
6 take administration claims about tremendous
7 improvements with a grade of, grade inflation.
8 There is progress, but 97 percent of our schools
9 that are As and Bs, are because of this year's
10 test passage rates, which were inflated. Previous
11 years' progress reports were more meaningful, and
12 shame on this administration for not pointing this
13 out publicly. The high school progress reports
14 will be more realistic, since they incorporate
15 more instructive variables. "Did you graduate or
16 not? Did you pass enough classes or not? And did
17 you pass Regents tests or not?" Hopefully, after
18 the mayoral election, the New York State
19 Department of Education returns to grading
20 normalcy. Thank you very much, we hope to have a
21 good year at the schools.

22 CHAIRPERSON JACKSON: Well, thank
23 you for your analysis of that information, and as
24 someone that's involved in high schools, obviously
25 our colleague Lew Fidler had talked about credit

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2 recovery, and I'm curious as to whether or not, as
3 far as the high school leadership of parents, do
4 you have any comment with regards to that, as per
5 the Bloomberg Administration talks about the
6 higher graduation rates.

7 MARTIN KRONGOLD: The, this
8 administration does play with numbers. And I am
9 very supportive of progress reports, as you've
10 heard, but I'm not supportive of the way numbers
11 are played, so I'm glad the independent budget
12 office is coming on board. As to credit recovery,
13 it's been observed to be such an egregious problem
14 that just this past month the New York State Board
15 of Regents did issue formal guidelines of how it's
16 supposed to be implemented, since only been a
17 month old, I'm sure it hasn't been implemented
18 yet. The, here's the two brutal sides of it. I
19 tend to talk in, I don't tend to talk in one sided
20 terms, I talk on both sides. It's unfortunate
21 that we have Regents tests at all. I wish we had
22 just tests at the end of the year on how well all
23 of our students have done. Because Regents really
24 is a political statement, that forces our system
25 to say, "Look, most of our kids are getting the

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2 basic knowledge." If we gave all kids just a test
3 that the teacher gave, that teacher would give the
4 easiest of easy tests to get more kids to pass.
5 Regents are a way to show that there's a basic
6 level of knowledge. And the reality in this world
7 is that with our credit recovery, it's just social
8 promotion in high school. That's what it is. And
9 the increase in graduation rates, while it's
10 probably there, is not a bad thing. If you notice
11 from the reports from DOE, you have to get a 700
12 now to get a three. And if you look at the number
13 of kids who get a three, which is "what it takes
14 to pass in our system," only 55 percent of our
15 kids are passing. I want 80 percent of our kids
16 to pass, because I realize 20 percent for one
17 reason or another won't, but I want at least 80
18 percent, 'cause I want 'em to go into the military
19 if that's what they want to do. I want them to
20 have a degree so they can get a City job if that's
21 what they want to do. By not letting kids
22 graduate, by not allowing credit recovery for
23 example, we also hurt many of our kids who can't
24 make it any other way under this system, another
25 system. So, if credit recovery exists, I'm not

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2 against that, but it should be credit recovery
3 that's meaningful, that moves kids along a
4 continuum, so that when Johnny or Sally at age 16
5 is not the greatest student, you know as well as I
6 do they'll be good people at 21, they have as much
7 chance as someone who goes to Harvard. Okay, they
8 know that. And as someone, as someone, and I, you
9 know, I do this because I have a passion for kids
10 and a passion for public policy. I grew up in a
11 neighborhood that was rough, real rough. And
12 because my parents were immigrants, and believe in
13 everything for education, I was one of those kids
14 who could go to Harvard, but I know those kids
15 that didn't go to Harvard, and they were as good
16 as I was. But they suffered because they didn't
17 have a decent background. And I fight for those
18 kids every day, and we all do. And I really think
19 there should be opportunity for the kids who can't
20 make it, necessarily, to make it, if they're not
21 making it at 16, let 'em make it at 21.

22 CHAIRPERSON JACKSON: I agree, but
23 I just think there needs to be, as I said, I've
24 asked, "Tell me DOE, how many credit recovery
25 programs there are in the City of New York? How

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2 many in each school? How many students are taking
3 each one? And how many students are getting
4 credit for them?"

5 MARTIN KRONGOLD: I agree.

6 CHAIRPERSON JACKSON: I mean--

7 MARTIN KRONGOLD: I agree. Good
8 luck, I hope we get it.

9 CHAIRPERSON JACKSON: Oh, we're
10 going to get it.

11 MARTIN KRONGOLD: Good.

12 CHAIRPERSON JACKSON: Without a
13 doubt.

14 MARTIN KRONGOLD: Good.

15 CHAIRPERSON JACKSON: And Ms.
16 Foote, let me ask you a question with respects to
17 the Comptroller's Office analysis that it appears
18 as though, based on the ELL and math tests, and
19 not so high test scores in the science and I think
20 history, which would clearly indicate that, based
21 on what everyone says, that is has some validity
22 that the Department of Education is teaching more
23 towards the test than anything else. Do you have
24 an opinion based on the statistics that have been
25 put forward by the City Comptroller's office?

1
2 MARTHA FOOTE: I would, I think
3 that it is a very accurate representation of
4 what's going on in our schools, especially from
5 what we have heard from parents who have reported
6 to us what's going on in their children's schools.
7 That if it's not on the test, it's not being
8 emphasized in the classrooms, and many times it's
9 just, it's been dropped from the program. So, it
10 completely dovetails with what we've been hearing.
11 And it's very unfortunate, you know, our--and it's
12 not as if, I think that when we say there's this
13 emphasis on English language arts and math,
14 because it's on the test, I want to make it clear
15 that it's not necessarily that they're really
16 learning deeply in English language arts and math,
17 they're learning what will be on the test. So,
18 it's test prep in those areas, it's not being able
19 to think deeply, analytically, problem solving in
20 those areas, and going more richly and deeply;
21 because again, if it's not on the test, it's just
22 not going to be there in the classrooms. And it
23 really, you know, I have my own, I have a child,
24 and fortunately, you know, he's in a school where,
25 by virtue of the test scores, and the

1
2 demographics, we're able to avoid some of this.
3 But as I said, we get reports from all over the
4 City, and we're hearing about kids who are just
5 going through these mindless days, parents are
6 tearing out their hair. They're just not getting
7 a quality education, they're not excited, they're
8 not happy, they're just, they're, they don't, they
9 don't see what the excitement is of being a
10 learner, because learning for them is not
11 something positive. So, that's really where, you
12 know, I see such damage being done.

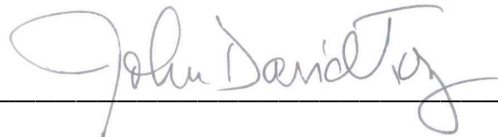
13 CHAIRPERSON JACKSON: Well let me
14 thank you both for coming in, I appreciate it, and
15 with that this hearing on progress reports by the
16 Department of Education is hereby closed at 2:00
17 p.m.

18 [gavel]

C E R T I F I C A T E

I, JOHN DAVID TONG, certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature _____

A handwritten signature in cursive script that reads "John David Tong". The signature is written in black ink and is positioned above a horizontal line that serves as a signature line.Date November 4, 2009