Public Policy Forum

The "No Child Left Behind Act" in New York

Presented by

James A. Kadamus

October 24, 2005

Brian Stenson:

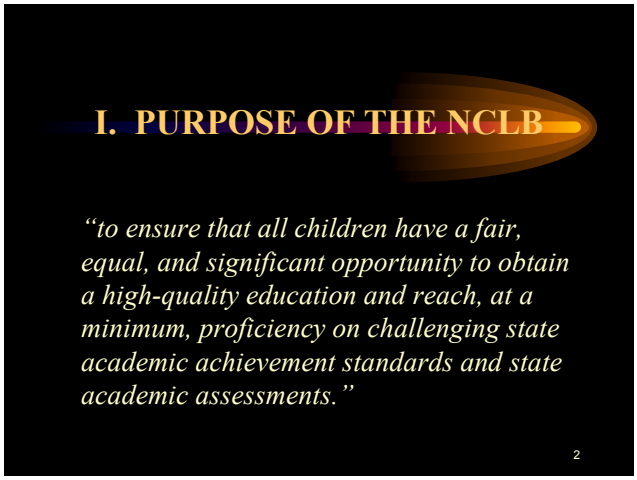
My name is Brian Stenson, deputy director of the Rockefeller Institute of Government, the public policy research arm of the SUNY system. We conduct public policy research and extend it to the public through web sites and reports and work with federal and state agencies and foundations on some pressing issues. One aspect of our public service mission is to extend our knowledge and what we've learned to people and the community and the media and we do that through these public policy forums.

Today's forum is on the "No Child Left Behind Act" in New York State. The act greatly expanded the federal role in education and aims to improve students' performance generally and particularly for disadvantaged students. NCLB has sparked considerable controversy nationwide and here in New York State. Our speaker is superbly qualified to comment on the act and how it is affecting education in New York. Jim Kadamus is New York's deputy education commissioner for elementary, middle, secondary, and continuing education. Jim supervises 400 employees with an operating budget of $40 million annually. But that's a drop in the bucket compared to the $18 billion in state

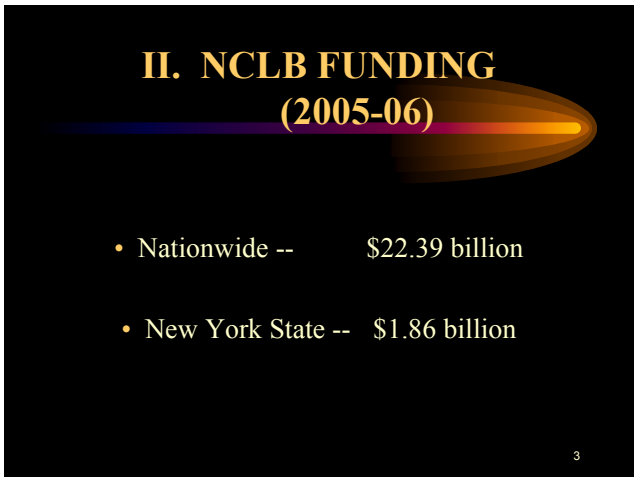
education aid his office oversees. Jim is a recognized expert in education policy and has appeared on *The Today Show*, CNN, NBC Nightly News, and public television.

James A. Kadamus:

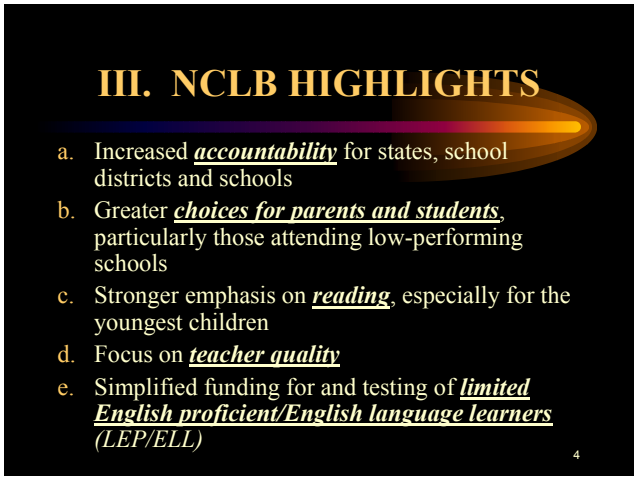
Thank you very much, Brian. I'd like to do three things with Child No Left Behind. One, give the basics, although I know a lot of you in the room and you know the basics so it will be a little bit repetitive. I think I have a safe foundation here in terms of what the act does. Second, talk a little bit about the positives that we've seen from No Child Left Behind. There have been a lot in New York. New York was one of the early adopters. We're one of the first five states to have our accountability plan approved by the federal government and the reason was because we had done a lot in advance of No Child Left Behind. So No Child Left Behind in New York really reinforced what we were doing as opposed to start something new. Then, talk about the challenges that the Act faces. Remember the Act will be up for reauthorization in two years and we're already talking about what some of the things are we might want to see different.



What is the purpose of the act? There are some key phrases here that I think are important: 1) fair and equal; 2) opportunity for high-quality education (high quality is an important word here); 3) proficiency is an important word. One of the things that I think No Child Left Behind made people think about is the move from what I call minimum competency to proficiency. In New York, that translated in the move from just the competency test to the Regents exams for all students. That's the movement that you saw there, moving toward proficiency, a mastery of material, not just being minimally competent. We had achievement standards in New York since 1994/1995, but this act requires all states to have those standards and assessments. This act extends the assessment system that we had in New York already.



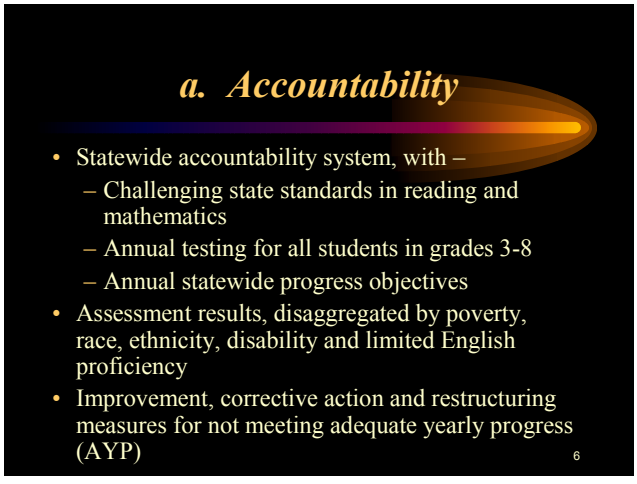
To give you a perspective on funding, it's about $1.86 billion in New York in the 2005-06 school year. I can't tell you what we're going to spend in the 2005-06 school year in terms of total spending. If you look two years back, which we have data on now, it was about $37 billion. Federal funding has generally run around 7 percent of New York State's funding. That's not uniform throughout the state. When you look at the big urban areas, you're probably going to look at about 10-12 percent. If you look in suburban areas, you're probably looking at about 1 or 2 percent of the total funding. But we have consistently gotten around 7-9 percent of the total amount of money that the federal government puts in the No Child Left Behind.



I'll go through each one of these specifically, but I just want to hit certain highlight areas. Accountability is an important aspect of this act. Choice is an important aspect of this act. There's an emphasis on reading, particularly early reading. Teacher quality is a big push in terms of No Child Left Behind. Work for limited English language learners was part of the old act and this act again reinforces that.

Also, even though this act is not the main act that deals with students' disabilities, that's the IDEA, this act does have a lot to say about students with disabilities. It does introduce a concept called supplemental education services, the idea of giving kids extra help. There is a greater emphasis on school safety. People kind of forget about that but in fact it's very complimentary to SAVE legislation in New York. There is a section of this

act that deals with school safety and violence issues. There is an enrichment program and an after-school program called 21st Century Schools, which is an expensive program, costs $100 million in New York State. There is a promise, and that is one of the things that is important in this whole act as well, there was strict accountability put in and really extensive and I will spend a lot of time on the accountability aspect of this act, which is really I think one of the most important parts of it. The federal government's promise was, "We're going to give you greater accountability, but we're going to give you greater flexibility in exchange for that." That's the tradeoff. Some people would say that this act is long on accountability and short on flexibility but I think there is some flexibility built into the act in terms of being able to move money across fund sources. But certainly the accountability part of this gets a lot more attention that the flexibility pieces.



Like I said, New York had around 2000 an accountability system that had many of the elements that are required as part of this act. The state standards piece, which in fact we had since 1994/1995, not only in reading and math, we have it in 28 different subject areas. The idea of annual testing is a new piece for most states. There are about 17 states in the country that have annual testing right now grade by grade, 3 through 8. This is an important part of the accountability system of NCLB. It was put into New York presumably as part of an accountability system for the federal government, although we've looked at it quite differently in New York. We already had a

4th and an 8th grade test. We have high school testing and we feel those were pretty good in terms of accountability. In fact, we testified against the idea of a 3 through 8 system. We've become believers in the last few years as we begin to design a 3 through 8 system that tries to look more at the instructional program and the strengths and weaknesses in the instructional program. We had a committee of practitioners. That committee said, "We want you to make these much more instructionally sensitive tests and we want to use these as a basis for judging strengths and weaknesses." I don't believe that this is going to tell us much more about the accountability or the performance of a school any more than we learned on the 4th and 8th grade exams, frankly.

For example, when we look at accountability we're going to be looking at the accumulated accountability in the grades that a school has. So if it's a K-5 school, we'll look at the 3rd grade scores, 4th grade scores, and 5th grade scores and give the school a single accountability number or what we call a performance index in New York State. I doubt there are going to be too many schools that are great in 4th grade that are not good at 3rd and 5th grade or bad in 4th grade and good in 3rd and 5th grade. Occasionally you can find that if you've got a small school that has maybe one teacher per grade, but in general schools operate across the grades very similarly. So for accountability purposes this doesn't help us, but I think from the standpoint of being able to inform instruction, I think there is going to be some benefit to having that grade-by-grade system.

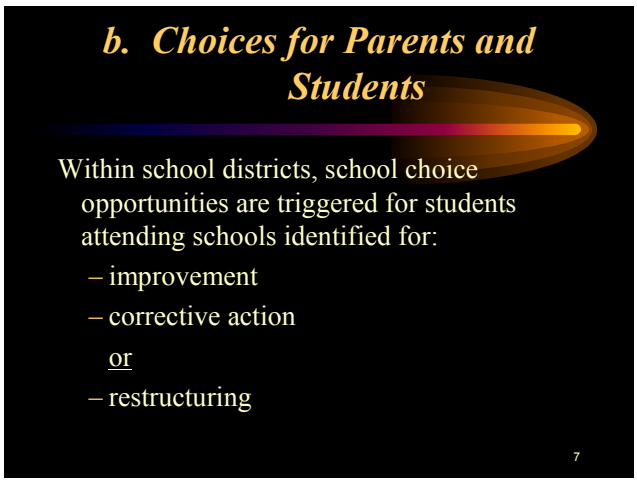
Incidentally, most districts in New York already test grade by grade. They actually buy what's called a shelf product. They actually go to a testing company and buy a product and we are essentially taking away that requirement for them by having a single statewide test. They don't have to go out and buy those anymore.

There is a piece called Statewide Progress Objectives. The state has to set progress objectives if you're involved in NCLB. These are known as the annual measurable objectives (AMOs). Every school has their annual measurable objectives. They've got to show that they're meeting certain progress. Remember the whole goal of this act was to get the proficiency and that's one of the controversies of this. The whole idea is that by 2012 the system will get to 100 percent proficiency. That is, in a lot of

people's minds, an unrealistic goal. Some people say, "Geesh, you're never going to get all kids to proficiency." But I guess it depends on how you define proficiency. For example, define proficiency at level 3 and above in New York State, which is our fully proficient level. One being not proficient, two as basic proficiency, three as proficiency, and four as mastery on the 4th and 8th grade tests. Right now we have about 75 percent of our kids who are proficient in 3rd and 4th grade math. So could you get to 100 percent by 2012? Possibly, it's within shooting distance. But if you were to look at basic proficiency, we have about 95 percent of our kids at basic proficiency at 3rd or 4th grade math. Could you get to 100 percent? Very probably, certainly for the general ed kids. Special ed is a little bit different story. But I think the whole idea of having some type of progress measures here and objectives is going to be an interesting challenge as we move ahead and I'll talk about that later.

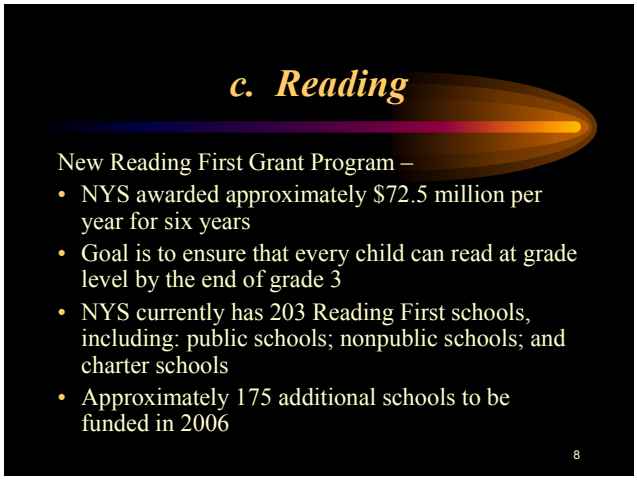
One of the big aspects of this act is that the assessment results of this act are being made by subgroup. We had done a little of that under the old Elementary and Secondary Education Act (ESEA), but we had not done it in the way that they're requiring it. The federal government now requires it by poverty, race, ethnicity, disability, and limited age proficiency. What's interesting is that not all schools participate in the disaggregation because for New York State to be counted for disaggregation you have to have at least 30 kids in a grade of that particular characteristic — 30 poor kids, 30 black kids, 30 Hispanic kids, 30 kids with disabilities. That really only affects the biggest districts and the more diverse districts. The more homogeneous, suburban type districts, and rural districts in the state aren't affected by the desegregation at this point. When we go to 3 through 8 testing and we accumulate that number, it will be 30 across all the grade levels that you're testing in that school and you will see more districts and more schools involved in the disaggregation. But this is a real rub and I will get into that when we get into some of the challenges. It's a rub for a lot of people, particularly on the issue of participation rate. One of the things you have to look at is 95 percent of the kids participating in the testing system on all these subgroups and a lot of schools don't have that, particularly students with disabilities. The testing system is not real sensitive to students with disabilities.

The last piece on accountability is that the states are required to do something. Not so far in New York State because schools in need of improvement have to miss their annual measurable targets for two years in a row. Then you get to corrective action if you miss again and then you get to restructuring if you miss again. Then, after four years of missing your targets, the state's supposed to intervene in some more dramatic way. There are six ways the state can get involved, five of which are pretty Draconian: take your money, replace your superintendent, dissolve your school district, things like that. One is to do a curriculum audit at a curriculum review and we have about 17 districts in which that is occurring this year. The other consequence that is, I think, one of the real weaknesses of this act is that it doesn't really have good things for the state to be able to do. Taking people's money away when they are not performing doesn't seem to be particularly productive. Dissolving a school district, you can't do it under state law. You'd have to have a special act of the Legislature. So the commissioner can't go in and dissolve the school district. All this has to be consistent with state law. So that whole area of improvement and restructuring, there is a lot of work to do yet and we'll come back to that when we do the challenges.



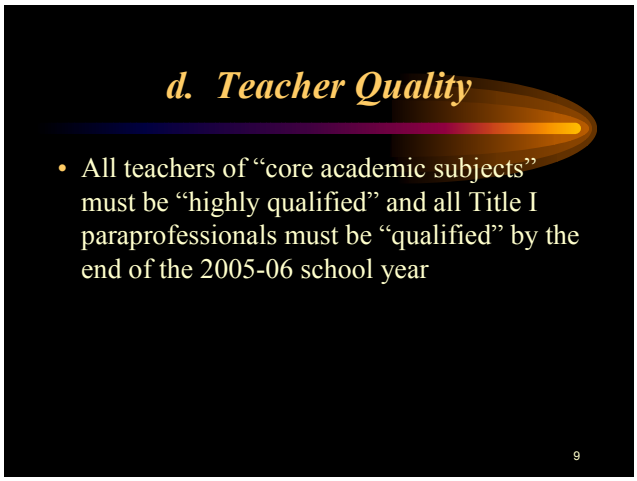
Some districts in New York State have choice within the district. New York City for example, Buffalo for its secondary program/high school program. This creates a requirement that if a school doesn't meet its performance standards after two years in a row, they would be required to give the students choice within the

district. So those kids could go to another school. This is a complicated area, one that is fraught with a lot of problems in New York State. One, getting the data early enough from the testing system so that people know early enough along the way as to what their choices are. But in low-performing districts, you typically have a lot of low-performing schools and the choice can only be the schools that are not low-performing. So if you're in a neighborhood where there are only low-performing schools you go to parents and say, "Your school's not performing well. You're going to now have choice." The problem is that their choices are pretty limited. If you go to a parent in the Bronx and say, "We have a school for you but it's in Staten Island" it doesn't work in a place like New York City because the rest of the schools in the Bronx neighborhood are also going to be ones that are low performing and are having the same kind of problems that you're having. Therefore, there isn't as much choice. New York City this year offered choice to a record numbers of students, but only a couple thousand parents decided to ultimately take advantage of the choice system.



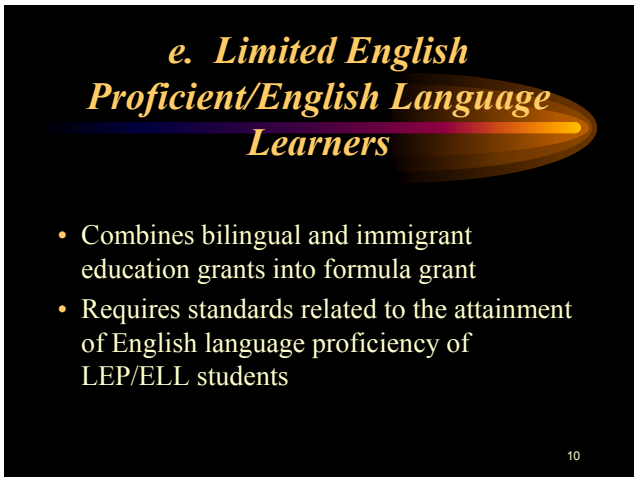
Reading is a big emphasis. You can see the numbers here in terms of the amount of money. Reading First is a very interesting program because it's the first time the federal government really said, "We will only fund programs that have a scientific research base." There has to be some scientific evidence through control groups and other types of things that in fact this reading program does work. Now, it doesn't require the state to put out an approved list of reading programs. There are certain reading programs that have demonstrated quality based on research. But if you can prove your program in fact is an effective reading program, you can get that approved. Most people are involved in this program, though in most districts they use a fairly structured reading program. There is required training. It's an all web-based kind of training in New York State. That's how we do the training of teachers. This program seems to have some

positive effects. The jury is still out in terms of the amount of time that those programs have been in place, but what's interesting is some of the gains in New York State reading scores, particularly in urban areas, seem to be coming disproportionately from the Reading First schools. So that seems to have had an impact on really highly structured, highly regimented reading programs. There's a kick back against this. There are some people who have a program that they think is working who come back and say, "Wait a minute, we don't want the federal government telling us what to do." This is Reid Lyon, who is the advisor to the president on reading, really pushing this whole idea of more scientifically based research. I think that will spread throughout education and by-and-large has been a good thing. I have some issues with it, but by-and-large I think it's been a good thing in terms of improving reading.

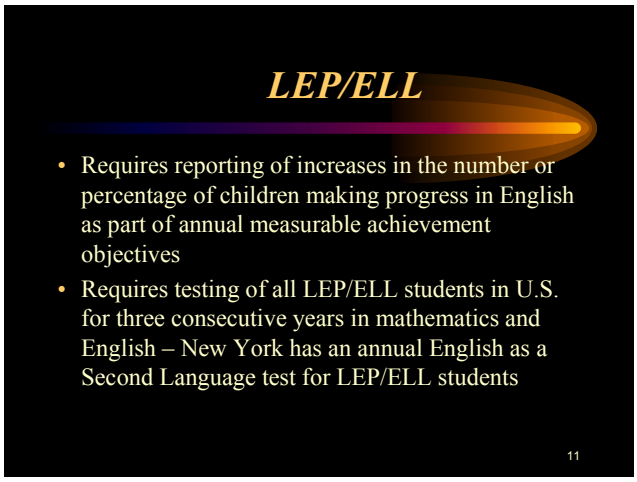


New York is probably affected less than other states on the issue of teacher quality. Remember, we are one of the few states that require teachers to get a Masters degree to get permanently certified. Most states don't require that. This has required not only professionals but also paraprofessionals who are funded by Title I to meet certain standards of qualification. The state has to set their standards and be able to show that people are certified and meet those standards. You recall the kind of debate that the commissioner had first with Chancellor Levy and then eventually Chancellor Klein. The state actually in New York ended up suing the chancellor of the City of New York to force him to get rid of basically large numbers of uncertified teachers. Thousands of uncertified teachers were teaching in the New York City school system. They still don't meet all the highly qualified pieces of this because you not only have to be certified, but you have to be certified in the subject are you're teaching. In New York City right now, basically everybody is certified, but are not all certified in the subject that they are teaching. You might have a chemistry teacher teaching biology, for

example, or a math teacher teaching physics. You've got some of that going on still around the state. But by and large, this has had some affect in New York, but we are close to being there already.

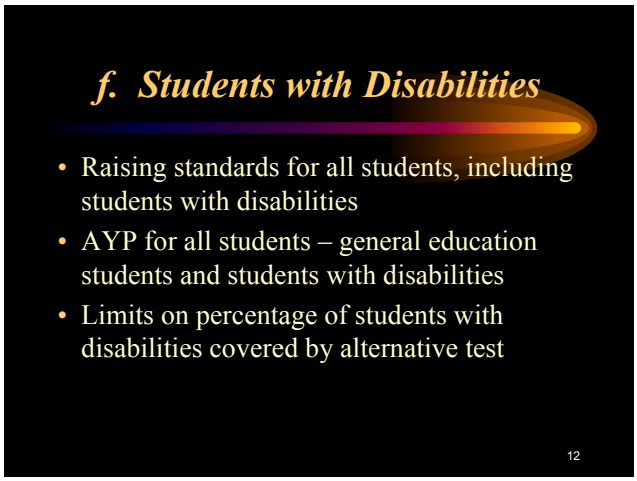


The act set some standards for students who are English language learners and, in New York, by putting up the challenge of English language proficiency. We ended up creating a separate test of English language proficiency for English language learners. It's called the New York State English as a Second Language Achievement Test (NYSESLAT) test. So we actually give students who are English language learners a different test than the regular English Language Arts test. It's logical because you're trying to give them a test to look at their progress and we actually test English language learners at every grade, Kindergarten all the way through 12th grade. If you're an English language learner, you're taking a test every year, while the other students are only taking it now at 4 and 8 and high school or, eventually, 3, 8, and high school. If you're an English language learner, you're taking a test every year to look at what progress you are making in terms of learning English. And there are extensive requirements for reporting, measurable objectives, and we've really I think been one of the leaders.



There are only five states in the country that have an English language learners test. We work with a contractor to do that and we think it's worked out pretty well. It's been the first time I think that this whole

area of limited English proficiency and English language learners has really begun to get everybody focused on the data on those students. Up until now, there's been a lot of emotion around English language learners. Is it bilingual? Is it ESL (English as a Second Language)? What's the best strategy? What are the best ways of approaching these kids? This could give you good data on programs over time. You're able to look at student progress over time and that's what's important. As one of our staff people said, "It's not about bilingual or ESL, it's about good instruction." It doesn't matter what kind of instruction you get as long as it's good quality instruction and it's getting you to learn English. That's the goal of the English language learners.



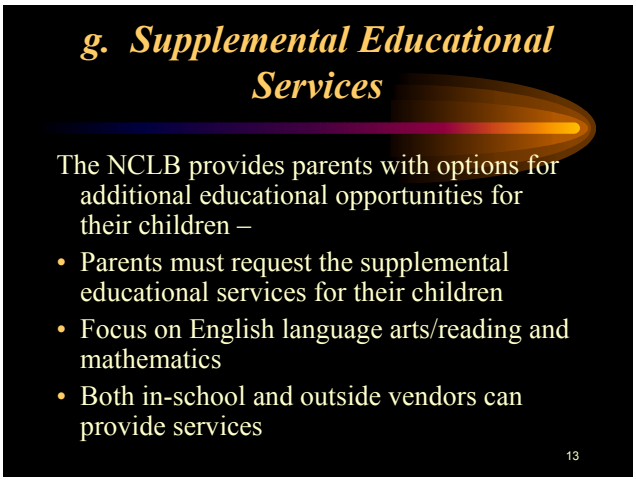
Students with disabilities are addressed under this act even though the main act for them is the Individuals with Disabilities Education Act (IDEA). It does talk about raising the standards for students with disabilities and the annual yearly progress (AYP) includes students with disabilities. That's where the big rub is hardest in terms of 100 percent proficiency because if you look at where students with disabilities are in this state, students with disabilities are significantly behind the general education population. To get the students with disabilities to 100 percent proficiency by 2012 requires you to move faster with them than you have to move with students who are in general ed. I don't believe, and have said in public many times, that there is any evidence that we've figured that out well enough. We don't have the research base behind us to know what the best instructional programs are for students with disabilities. So we haven't figured out how to move that subgroup to 100 percent proficiency. I think we could move the general ed subgroup to very, very close to 100 percent proficiency, but students with disabilities have a long way to go and we don't have the techniques developed yet, the research developed yet. Students have made progress. Interesting enough, students with disabilities have made progress. Before

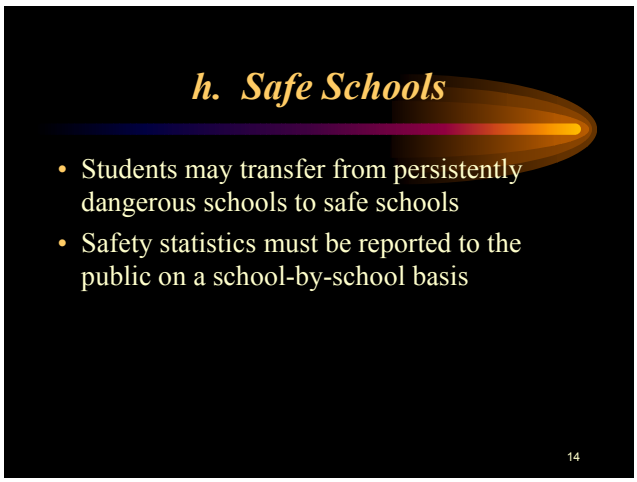
NCLB, before our standards were met, probably about 8 percent of all the students with disabilities in the state took and passed the English Regents exam. Last year it was 50 percent. So in ten years there has been a dramatic movement of students with disabilities into the mainstream program. But New York still has a long way to go in terms of being able to deal with this.

There is a requirement under the act that the states create an alternative test for kids with the most severe disabilities. But it was limited to 1 percent of the students who have disabilities. That's been a big part of the problem of the Act. A lot of people are saying, "Wait a minute, there's way more than 1 percent of the students who are really way behind grade level." One percent really are kids who probably by the age 21 — if you're a student with a disability you can stay in school until 21 in New York State — would have about kindergarten-level skills. Those are the kids who we're talking about. Basically, we're talking about life skills: being able to tell you when it hurts, when you have to go to the bathroom, when you're hungry, have basic eating skills, some basic core communication skills. That's what we're looking for, the alternative testing population. The problem is between that population and kids who are really mainstreamed as part of general ed but have a disability, there's a significant group of students with disabilities. There is a grey area of students with disabilities. There has been a lot of discussion recently about what can we do for those kids. Recently, if you have been following NCLB, Secretary Spelling has said, "We're going to allow for another 2 percent of those kids to have modified standards and assessments." But they had very little guidance as to what's going to happen for that 2 percent. I'll come back to that when we get to the challenges.

NCLB introduced this idea of supplemental educational services. If you miss your AYP for two years and you're identified as a school needing improvement, and then you miss it for two more years, you can then have your kids eligible for supplemental educational services, which allows parents in that school to request additional help, primarily after school. It focuses on English language arts and math but actually can go beyond. It allowed for the first time in-school versus outside vendors to do this. This was

a real compromise on the issue of vouchers. Many of the advocates, as part of the NCLB legislation, wanted to see a voucher system. They said, "Well, if the public schools are failing, let's have a voucher system allowing parents to take their kids anywhere they want and we will pay for it." People resisted that in Congress so the compromise was supplemental services with private sector vendors. Both profit and nonprofit vendors could come in and contract with the school to provide these services. They usually occur after school, sometimes even occur on Saturdays. It comes out of the district's money, the district that has those schools that are in need of improvement. They have to take it out of their Title I allocation and pay that to the supplemental services providers. So there's been a lot of conflict involved in that because the school districts are saying, if you talk to New York, Buffalo, Syracuse, or Yonkers, "Wait a minute, we're paying people using the very money that you gave us to improve our program. We now have to pay outside vendors to provide services for kids. That doesn't seem to make sense. Why wouldn't you provide extra money for that?" I think the idea is to create an incentive structure to say do better, be able to perform, and then you won't have to put this money into supplemental services.

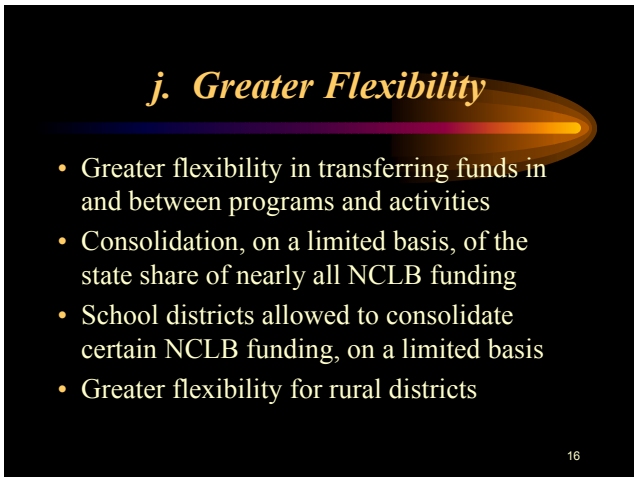




Like I said, there's a safe schools aspect to this act, referred to as persistently dangerous schools. Schools within the states are required to collect safety statistics, reported on a school-by-school basis. It is also required in New York under the SAVE legislation, which occurred about the same time as NCLB.

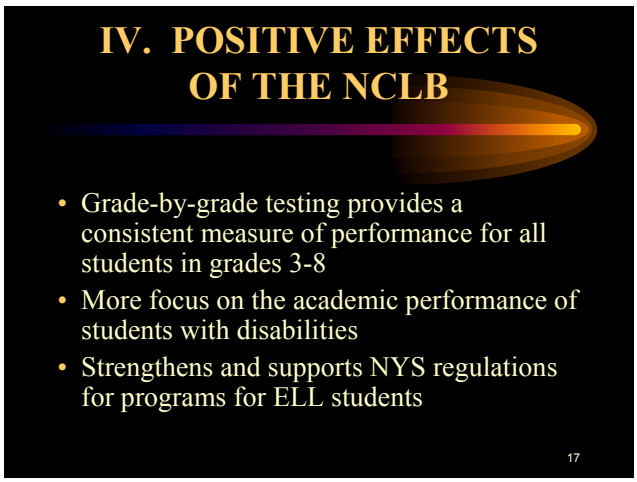
Students who are within so-called persistently dangerous schools can transfer to safer schools. There's more to come on that in a few minutes.

Twenty-First Century is this whole idea of creating an after-school environment that really focuses on youth development. You can see some of the things that are included here. This is a significant program, about $100 million a year. It has very much become the mainline program. Interestingly enough, New York had an after-school program that dealt with attendance improvement and school violence, about a $30 million program that has been funded for a number of years. That program has been quite successful. This really built on that and extended it. Under the Twenty-First Century learning centers, the grantee can either be the school district or a community-based organization (CBO). But you have to have both involved. It's about 50/50 in New York. About half the grantees are public schools and about half are community-based organizations that run the program in the public schools. It's quite an extensive program.

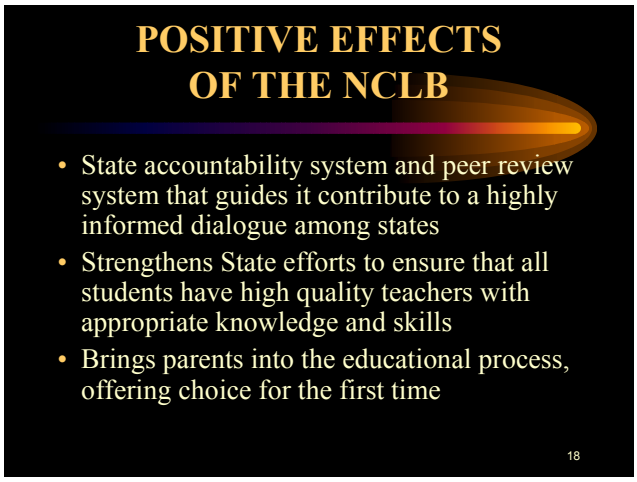


The flexibility that was put in gives both districts and states the flexibility to transfer funds between programs and activities. You can transfer money into Title I. You can transfer between the other titles other than Title I. You cannot take money out of Title I and move it into other titles. That's basically the flexibility that they allowed it. You can also consolidate the state share. We do that in New York.

We have a waiver that allows us to consolidate the administrative funding so that you're not putting the money all in various silos but you can actually look at a state plan and say, "I want to put money behind school improvement, reading, and math." You can do that kind of thing. Rural districts are allowed more flexibility, particularly around the teacher quality piece. There's some greater flexibility for rural districts under the argument that they probably have a smaller pool of teachers to draw from. They have a little more time to meet those teacher quality requirements.



That's the basics of NCLB. Now I'll turn to some of the positives and negatives from my perspective. This is more the qualitative aspect of this. One, even though we really were not in favor of grade-by-grade testing, once it came, we realized that it could become a consistent measure of performance. What's important is that it could allow us to be able to look at student progress over time and one of the things that we are designing, but not to get into a psychometric discussion here, what is called a vertical scale or vertically moderated scale. We are actually looking at from grades 3 to 8, creating a testing system that allows us to judge student progress year to year.



My own belief is that eventually the federal government will move away from the idea of 100 percent proficiency as they realize that it's going to be an elusive goal and will allow states to begin to get into creating what some people call a value-added or progress growth measure type of system of

accountability. I guess we could have a good debate if Bill Sanders was here from North Carolina. If he were here, he'd probably say that he does believe you can create a growth measure or progress measure without a vertical scale. I personally don't believe you can. We have a difference of philosophy here. He does it through statistical analysis. I believe you need to have a consistent measure that looks at student progress year after year. People have done this. A number of testing companies have done this, but they've done it by creating a testing system that puts the same items on different tests. What they do is they'll have an overlap between the 3rd and the 4th grade, 4th and the 5th grade, 5th and the 6th grade. They'll have the same questions, so fourth graders answer some of the same questions as third graders. Fifth graders answer some of the same questions that were on the fourth grade test.

We can't do that because in New York State, under the state legislation, we are an open fair-testing state. We have to put out every test question we give on every test. Everything is exposed to the public. So we can't put overlapping items. If we did and didn't give the test at exactly the same time, people would know what items are coming. We've had to create a scaling system with our contractor, which is CTV. We're creating a scaling system that will allow us to look at growth over time in bands of grades, generally two grades at a time. Like a three and four, five and six, six and seven, seven and eight, and be able to look at that connection between those six grades to see if students are making some progress. We're not sure we can do this. We're working on this, but that is one of the promises of 3 through 8 to allow you to look at our kids progressing and are they progressing at a certain pace? Then you can, for example since we're putting in a student information system that gives every kid a unique ID, we're going to be able to look at student progress over time no matter where they are at school and also look at how well the schools do with the kids who are in that school for a period of time. How well are you doing with kids who are there for three years versus one year? Because we know there is a lot of mobility between the school buildings, we want to look at how did you do with kids that you had in that school over time? If you have a vertical measure that allows you to look at progress over time and creates a vertical scale, you are able to judge that progress against certain benchmarks. You will be able to look at

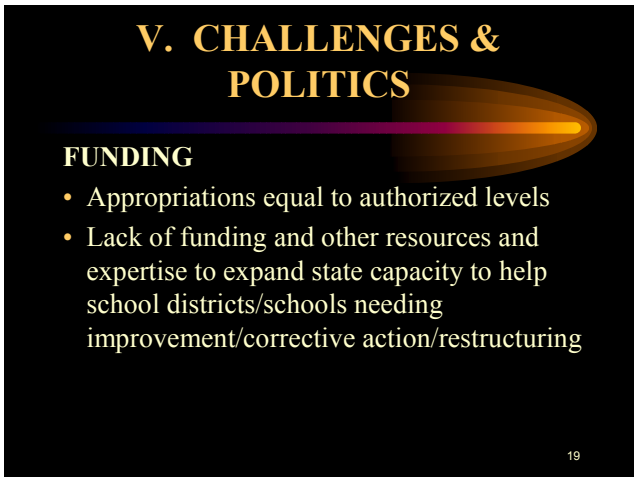
subgroups, etc. So we think that's a positive effect, one that maybe the people who created this didn't intend. I think everybody who wrote this law, when they looked at 3 through 8 testing, wanted to do it for accountability purposes and I think it could really have a big impact on looking at instruction.

Certainly the focus on students with disabilities, by putting them as an accountability subgroup, has forced the system to really look at inclusion models. New York, interestingly enough, is not a leader in the inclusion of kids with disabilities. In fact, we have some of the most segregated programs for students with disabilities in the country. We have been moving away from that fairly significantly over the last five years, where there is much more progress and fewer and fewer kids who aren't in general education for at least part of the day. Obviously, not the most severely disabled, but I'm talking about learning disabled kids who really in the past may have had their own special classroom, now are taking more and more general ed subjects with general ed teachers.

One of the perks of that is if you take a look at the performance of kids with disabilities and you control for the type of disability and severity of disabilities, kids who participate in the general ed program, who have disabilities, do much better than kids who are participating in segregated programs, even controlling for the type of disability. Integrating and putting kids into the general ed program has been a major goal of the department for a number of years and NCLB has really pushed that farther. It certainly strengthens New York's efforts on English language learners by having a separate test; by being able to have data, by being able to have directed funding, I think we're going to be able to move the English language learner population, which is a struggling population. Right now if you look at English language learners, about 45 percent of English language learners in New York State graduate in four years. Remember the two big entry points for English language learners in New York are kindergarten and 9th grade. That's the two biggest entry points. We have a lot of kids who show up here in 9th grade from other countries. So being able to get them to complete high school and be able to actually get a high school diploma is a real struggle. Right now less than half of them

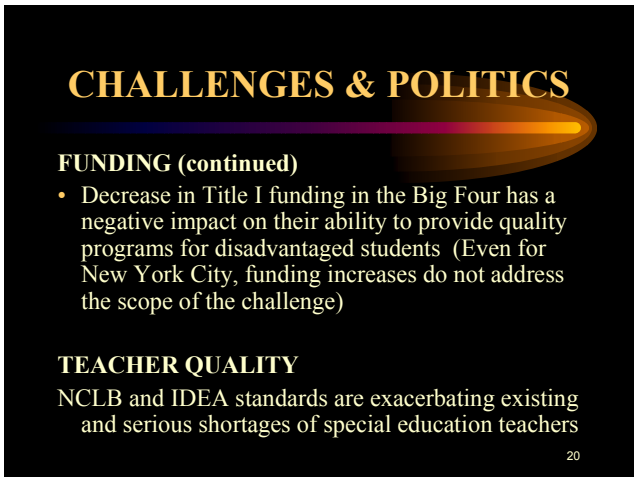
do. So we have a long way to go with the English language learner population, but I think NCLB is driving some of our thinking and pushing us in terms of trying to create better performance for them.

Our state accountability system and an intrastate peer review system really have, I think, contributed to some of the dialogue throughout the state. There's lots of talking between states as to how we do this and lots of comparing of notes even though the federal government does very little to help us in this by the way. You think that every time the federal government allows the state to do something to post it on the web site but they don't. You have to find out through the network and what other people are doing. It's a kind of interesting way that they work in this administration. It strengthens the efforts in terms of high-quality teachers. The few places in the state where we've had difficulty, particularly the City of New York, NCLB has really strengthened our hand in terms of getting high-quality teachers, certified teachers, in the classroom. It certainly has brought parents into the process more and gives them choices for the first time.



Now on to the challenges, not only challenges but the politics of NCLB. If you went back to the original Act and you looked at the authorization levels, you'll hear why people say, "NCLB is underfunded." NCLB has dramatically increased the amount of Title I money in New York State. In New York State, prior to NCLB, we had about $600 million worth of Title I money. Now it's $1 billion. There's no program that I know of that has increased funding 40 percent in the last four or five years. There's a lot more money than there ever was. The problem is that under the authorization levels that were promised, New York State would probably be approaching $2 billion by now. So you'll see what's happened is that you've essentially got more money, but as they looked at the distribution, there are actually districts that are losing

money in New York State under Title I, even though the appropriations have gone up. That's where the real push back is when people say, "It's an underfunded act." Of course, the promise was there before Iraq, before 9/11, before we got into the Hurricane Katrina, Rita, and now Wilma, there's a lot of competing resources out there and the federal government has never come through with anywhere near the appropriations that were promised in this act. A lot of the legislators were thinking, "Okay, this is going to be tougher, there is going to be accountability, but we're going to see a lot more money flowing." It hasn't happened.



There is basically a tremendous lack of funding for state capacity. It's what I would call a train wreck that's coming off NCLB. We're getting for the first time the districts that have already gone through school improvement, corrective action, and restructuring, and are getting to the point now where the next step is basically the state should go take over the schools, at least according to NCLB. We've had one experience in New York State in the Roosevelt District. There's a lot of national research on districts where there has been state takeover. State takeovers work to a limited extent. It's basically driving out corruption and patronage. That's been a positive effect of state takeovers. It's basically created a better governance structure. It's improved the financial situation in those districts. It has improved safety and security in those districts. In most cases, it's improved facilities. But the track record of state takeover in terms of improved instruction in the long run has been very, very minimal. There are not many cases where you can go and see where the state is running a school system where they really dramatically improve instruction. That is really what this is all about. So it does appear that the strategy is there, but there's very little money. Most of the money under NCLB drives down to the districts, passes through the states' departments of education right down to the district level. The states are now going to be

faced with, well, you've got 17 districts in New York State that are in corrective action now. What are we going to do when we get to the point of saying, "Okay, we're going to dissolve Hempstead and distribute the students through the neighboring districts on Long Island"? It's an interesting thought. Dissolve Syracuse? Take over Buffalo? Take over the City of New York, or parts of the City of New York?

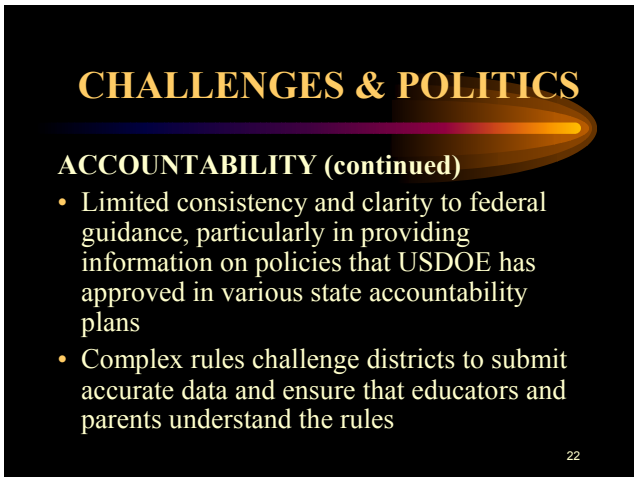
We've got to think about the strategies. There are not a lot of good strategies there for states to pursue. We've been pursuing this idea of creating curriculum audits and full curriculum review and analysis to see whether their curriculum and instructions align with the state's standards. They have a local assessment system to supplement the state assessment system and what we can do differently with those districts. But if that doesn't work, the next steps are not very well defined in terms of that state-to-district relationship.

Title I is driven by poverty and census. What's happened is because of the decline of population, particularly in Buffalo, Rochester, Syracuse, the upstate population, which has really been declining, the actually poverty population has also been declining. The number of kids in poverty in places like Buffalo, Rochester, and Syracuse has actually declined. It is still extremely high, but it has been declining relative to New York City, which has been gaining population. Some of the Long Island suburbs have been gaining population and increasing poverty population. What we've seen is a shift of money. So New York City has been getting a lot more money under Title I. Syracuse, Buffalo, Rochester, and Yonkers, the other big four, have all been losing in the last two years. So more and more challenges, more and more accountability, but are getting less Title I money. As they fail more, more goes to choice, more goes to supplemental services, and if you talk to the superintendents of those places, they're saying, "We're on a wicked treadmill here. It's moving and we can't get off of it."

Teacher quality, both NCLB and IDEA, are causing some significant challenges to New York and probably exacerbating the problem for special ed teachers. Remember, we're trying to get more kids into the mainstream, but under NCLB, the teachers who teach students with disabilities not only have to be certified in special education, they

have to be certified in the subject they're teaching. It makes sense. The problem is that it's hard to find teachers who are certified in special ed and are also certified in high school math, high school science, or in English language arts. Now you're looking at the double challenge. In certain places this works, but in places like Syracuse, where Syracuse University has a huge program for its teachers, which allows them to get dual certification, teachers are special ed certified as well as math certified. But those of you who are in school districts know it's hard to find a math teacher, science teacher anywhere, much less find one who is certified in special ed.

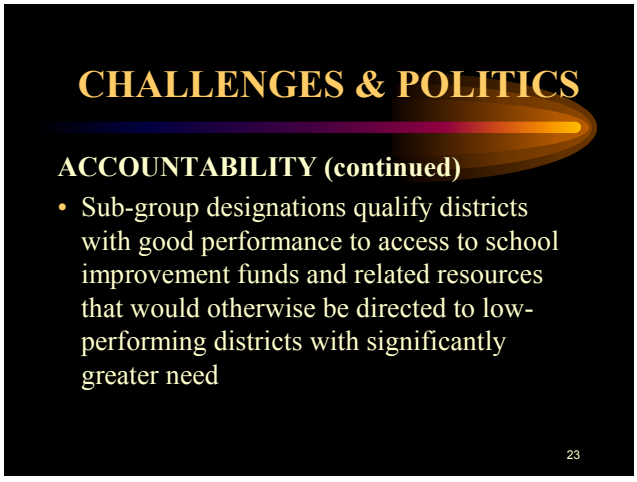
I've already talked about the testing and accountability requirements for students with disabilities and English language learners. It's expensive. It's challenging to find systems in New York where we found difficulty just particularly with the subgroups of students with disabilities in larger districts. They've got some schools that didn't make AYP for students with disabilities because they didn't test 95 percent of the kids. Now is that the district's fault? A lot of parents, if you're a parent of a kid who is age-wise in 8th grade but they're reading at the 5th grade reading level, are you going to have them go and take that 8th grade reading test? A lot of parents say, "No. It's cruel. I'm not going to do this. The kid is just going to get frustrated. I'm going to let them stay home." Then the district doesn't meet the 95 percent. So it's not poor performance. It's just that the kids don't even show up for the test and that's been a problem. We don't have good measurement tools yet to measure all the kids who have these different levels of abilities.



The federal government requires us to make AYP decisions before the next school year. The problem in New York is that if they have been giving the math test in May; it's hard to have the scores by the end of the year. But we also give the Regents exams in June and our graduation rates are calculated in June.

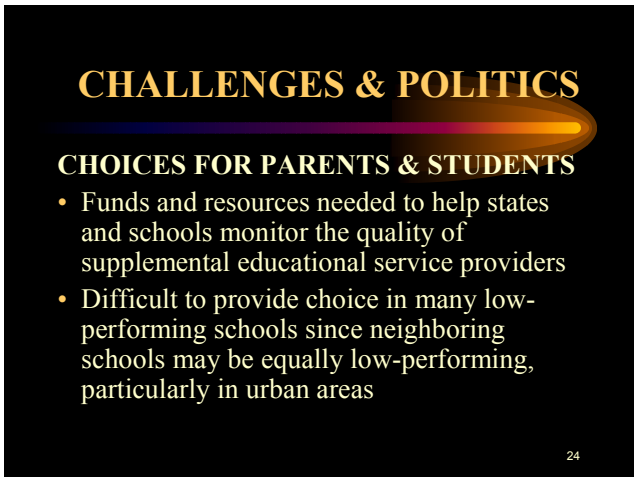
So to be able to have all these data before September, all from the schools when schools tend to have less personnel in the summer, has really been a challenge.

Federal guidance has really been lacking in this area. Let me give you an example of the 2 percent. Remember I said you that could get an alternative test to the 1 percent. Secretary Spelling, for example, has now said, "You can now use modified standards and assessment for 2 percent." What does that mean? "We're working on guidance." Does that mean that you're going to have a national test? Does that mean we're going to have a multi-state test? Do we have to have a different test for these kids? We've got a kid who is in 8th grade but reads at a 6th grade level, could we give him the 6th grade test? There hasn't been any guidance on this. Yet we're entering testing next year. In January, we've got to tell districts what they are supposed to do. What are you supposed to do with a kid who is two or three grade levels behind? Do you find another test for him? Can you put him in the off-grade test or do you have to have him show up for the 8th grade test? We don't know. It's October, we should be telling people this, but we don't know. We ask that question every week of the federal government and we don't have a response. I don't want to be critical of the federal government, but they've not been clear when they put in new opportunities and new flexibility but have been very slow to provide the guidance.



The rules are complex. Many of the school people here could tell you. Most school districts have hired someone to help them do this. It is very complicated. There are lots of subgroups. If you have all the subgroups in all the subject areas and all the grade levels, you'd have about 78 cells that you'd have to check in a matrix to decide whether or not you met AYP. Some of the districts that are poor and less sophisticated really have a hard time calculating this out. That's why you see lists changing over time. It's really created a very complicated system. In some cases, schools

that have subgroups for limited reasons like 95 percent participation now can get access to school improvement money and it creates less money for those that really have the most difficult problems. That's been a tradeoff here. The lower performing schools are now competing with schools that only are missing on one subgroup.



Choice has been an issue. The districts need to improve their educational program. They've got to put money into choice and supplemental services. There's been very little guidance, as well as money, to monitor the quality of the supplemental services. We are actually doing an evaluation in New York. We've hired a company to come in and analyze and evaluate if these supplemental services made any difference in terms of student achievement. And choice oftentimes doesn't work out. Remember, it's just within the district, but if you only have one high school or one middle school, you don't really ever have choice. You can't go outside the district. And in districts like New York, Buffalo, Rochester, or Syracuse, oftentimes the logical school for you to go to, the neighboring school, is also a low-performing school and therefore you don't have the opportunity really for choice.

Safe schools, I've been a real critic of this particular part of it. There is no federal guidance at all on persistently dangerous schools. It's totally deferred to the states. The people in Syracuse who are critical of us for identifying three schools in Syracuse as persistently dangerous, and I believe they did meet the criteria

we established for persistently dangerous, say, "This is illogical. There are more persistently dangerous schools in Syracuse than there are in the states Texas, Florida, and California." Which of course wouldn't be hard because are there are none in those three states. There the state Boards of Education have decided to punt on this part of the act. They simply have said, "We're not going to do this. There's no guidance and we're simply not going to identify persistently dangerous schools." In New York, our board has said, "Wait a minute, we want you to set some criteria. We think this an important thing for us. Safety is a very important part of what we want to have happen in schools. It's an important part of this act." But it has been inconsistent across the state, across the country. At one point in time, there were more persistently dangerous schools in Philadelphia than there were in the entire rest of the country because Pennsylvania decided to take this seriously, collect some data, and actually do it. When you have that kind of inconsistency, the illogical system, you have to really question whether or not it's worth doing.

Brian Stenson:

Thank you very much, Jim, an excellent presentation. Questions?

Stephen Schechter:

I'm with Russell Sage College. I hear a lot of Social Studies teachers complaining that the attention to reading draws instructional hours away from social studies and science at the elementary school grade levels. Could you comment on that?

James A. Kadamus:

Well, it's been a national complaint. I haven't heard too much in New York on it. The federal government requires a science test in elementary, middle, and high school. It did not require the same for social studies, which surprised me because you'd think that many legislators probably were people who were history majors and social science majors in college, they'd really be pushing social studies and they didn't. New York is

one of the few states that tests social studies in elementary and middle school and publishes the results. So we've kept our accountability measures, but I do worry about this. I worry that if you push so much on the accountability side on English language arts and mathematics, which are critically important, people are not going to pay as much attention to the other subject areas. One of the interesting trends in research for both middle school and high school now shows that if you look at kids who are falling behind in English language arts and not reading well enough, for example going into 9th grade, giving them two or three periods of reading doesn't help. In fact, what helps more is giving them opportunities to do a stronger literacy program in the context of their social studies, math, science, arts, and career tech programs. So, in fact, content literacy is becoming a very important part of the emphasis for both middle and high school.

I didn't have a chance to talk to you about one of the things that our board has asked us to do after they looked at the high school graduation rates. Last year, for the first time, we published high school graduation rates for a cohort of kids who entered high school in September 2000. What happened by June 2004 showed that 67.5 percent graduated in four years. A number were still in school. About 15 percent dropped out, but a lot of them were still in school after four years. Those of you who read other studies or even federal studies, which take a look at the number of 8th graders and divide it by 12th graders, they're wrong. We have the actual counts of kids. We've looked at actual bodies and actual numbers.

Out of that, we identified 136 high schools in the state that had the lowest performance in terms of graduation rate. We brought them together two times last year and we're bringing them together in December at the University at Albany. They've been looking at the research around high school performance, particularly low achievement in reading. That's one of the big indicators. If you are reading at Level 1 in the 8th grade, if you fail your 9th grade courses, and if you don't take any of the Regents exams by sophomore year, your chances of graduating in this state are almost zero. Very few kids who read at an 8th grade level graduate from high school at all. Some do, but very few, a very small percentage. Probably the best predictor of high school performance is where

they are reading at the end of 8th grade. That whole conference in December is going to be on content literacy. University at Albany has a center for content literacy and that's what we're going to focus on. So I think people are beginning to learn more about what will work instructionally. The whole idea of giving extra periods of the same old reading program that didn't work before is going to change over time.

The other aspect of this is the federal government is now getting into a program called Striving Readers, which is going to look at middle school reading. The Reading First program, which I think is a very effective program, stopped by law at 3rd grade, but most of the kids who have reading problems in the state get them when they are decent readers, but not great readers, by 3rd grade. What happens is that as content is introduced in 4th, 5th, and 6th grade, they tend to struggle. They struggle to comprehend you. If I were to bring a group of kids that scored Level 1 in the 8th grade test and asked them to read my presentation, they could read it to you but they could not tell you what it meant. They've got good decoding skills but they have almost zero comprehensive skills. They've not been taught comprehension skills and they don't read other than in school. A recent study of inner-city black males who are reading poorly in school finds they read nothing outside of school. They're not reading at all, newspapers, magazines, nothing. So, Many school districts, for example in urban areas across this country, have mandatory reading time. A twenty minute or thirty minute time during the day where everybody reads, teachers and students read, because that's the only time kids are going to read anything other than their school work.

Leslie Loomis:

I'm superintendent of the Bethlehem School District. First of all, Jim, I want to compliment you on the work that you and others at the State Ed Department have done

on in trying to convert the requirements of NCLB to ways in which it will make a difference for better quality education in New York and that's not an easy task. I also want to back up everything that you're saying about content literacy. Literacy is not just reading, it's writing. One of the best things that has happened of late, with all the focus on accountability, is that there are a lot very good people doing work nationally on this. For instance, one expert at the state superintendents' conference in the Fall said, "Of all the research he's done, the thing that makes the biggest difference in terms of student achievement is an incredible amount of nonfiction writing in every subject." One of the things that we're working on in Bethlehem is literacy full tilt ahead in content areas. I think it does not take away from social studies instruction or science instruction for social studies and science teachers to be helping students to read well and comprehend in their subject areas. You can't separate literacy from the content areas. The writing is something too that we really need to push.

James A. Kadamus:

It's an interesting comment because No Child Left Behind, of course, only requires you to test reading. So we could do a multiple choice reading test in New York State for 3 through 8 testing and make things a lot more efficient and a lot easier for everybody to score them and give people the scores the next week. The problem is that when we brought our committee of practitioners together they said, "Writing is so pivotal. It's such an important part of English language arts." So every test, 3 through 8, will have writing on it. Some more than others — 4, 6, and 8 have a little bit more than 3, 5, and 7 — but there's writing in every grade. Every Regents exam has writing in it. Even the math Regents exam requires you to explain your answers to some of the questions. The social studies exam, for example, has document-based questions, where you have to actually review different historical documents, compare them, analyze them, synthesize them, and actually write an essay about it. One of the things that I always try to say when we're looking at testing, one of the purposes of state assessment is to signal priority contact. What is important? What is important for kids to know and be able to do? So we're testing writing every year and we're testing writing in every Regents exam. We are

saying writing is critical. So I would very much agree with Les that an important part of literacy is the combination of reading and writing that we've tried to do in New York. Again, not required by NCLB, but NCLB has given us the structure to bring it into the system.

Oliver Robinson:

I'm with Shenendehowa Schools. You mentioned before special education students and not having a proven methodology, so to speak, to enhance their performance. One of the concerns I have at Shen is that we have enough numbers in many cases to satisfy a lot of the subcategories. But, as with many schools around the region, once we start combining the 3 through 8 testing series, I anticipate we're going to see more schools on corrective action, improving this and things of that nature, particularly, with some of the performance about students with disabilities. It's a political issue for schools because in many cases we have schools that are very strong otherwise and will end up on these "lists" that no one wants to be on. On the other side of the coin is recognizing some of the difficulties that schools have now to administer the 3 through 8 testing. Is there a possibility that the state will considered some of the Report Card reporting that goes out and giving us a chance to fax the data and get caught up so that administrative procedures can be fine tuned within schools before that occurs as well?

James A. Kadamus:

On the second part, of course, we are working on your reporting system as you know and part of that is to try to streamline and try to create web-based systems where people actually can draw down information so we're not exchanging as much paper and we can cut down on the turnaround time and also give you a lot more detail about being able to look at how an individual kid is doing, not only on the test but also on the subskills within that test. I think reporting will get better and get more efficient over time. On the issue of subgroups, I think it's likely we're going to see an increase in the number of schools that actually have subgroups and it's possible we could see an increase in the list. What's been interesting is that ever since the first time we identified schools, which was

three years ago, people said, “This is going to get bigger every year.” But it hasn’t. It stayed about the same. Some schools have gone up, some schools have gone down. That tells me that when people get identified they then put the resources, they find the answers to be able try to change and achieve things. Will we hit the wall with special ed students? That’s an interesting question. Will it either just create a much bigger list or will we have the incentive to try to find the instructional methods that work the best for students of disabilities? Time will tell.

Caleb Offley:

I’m with the Foundation for Educational Reform & Accountability. You’re talking about your student ID system, what’s your timeline for that? And secondarily, with the high quality teachers’ component, has the department discussed value added compensation to the teachers?

James A. Kadamus:

On student information system, we will have in place this school year a student information system. We just assigned 2 million unique IDs. We will have about 3.3 million students in our unique ID system and we’ve already assigned 2 million IDs. So that is in process right now and will be in place and the data this year will be collected at all the elementary schools in grades 3 through 8 by student ID. Next year, all the high school data will be collected by student ID. But we’ve already had a high school individual record system anyway. In addition, we’ll also have a new reporting system, a program that has been in place in New York City for a number of years. That reporting system will also be linked to an online instructional resource system. It’s called the Virtual Learning System. So you’ll be able to go all the way from test data to analysis of that test information to what should I do differently in the classroom. There are virtual links to about 3,000 lesson plans in various subject areas where you can actually get on and look at a lesson that will help you teach something different. That’s part of what we’re trying to do in New York in terms of the tools that we want to give to teachers.

We haven't done too much thinking about value-added compensation. Boston seems to have been a place where there has been some success in terms of judging whether or not teachers have contributed to the performance of students and paying them on the basis of that. We also looked at the Cincinnati study. We're just beginning to think about that. It's a tough issue in New York. We are a very strong union state, they're going to have to buy into it. It would probably have to be negotiated as part of salary. We have 698 districts in New York State and they all have their own negotiations. It's tricky and I'm a little skeptical about it. We will not initially in our reporting report by teacher. The district could do that. There have been some problems in Houston when they did it. They actually published names of teachers in the paper and said, "here's how Mrs. Jones' classes were versus Ms. Rice's classes versus Mr. Smith's classes." That caused a lot of agitation and anxiety among people. I think the issue of compensation of teachers is going to be a big issue in the next decade nationally in education. You can't find teachers in certain areas. Unions have resisted the idea of paying some teachers more than others, but take a look at what just got negotiated in New York City where a line does pay some teachers more than others. They can identify master teachers and pay them $10,000 a year more and they've agreed to that. They've also agreed to move teachers around. You can now move your teachers to low-performing schools. So there is some movement, some cracks in this, because they are having a hard time finding certain types of teachers — math, science, special ed, librarians in certain areas, English language learner teachers, and teachers of limited English proficient students. Does that get you to, ultimately, a value-added pap for performance type system? An interesting question, but. I don't know. It's really involved here.

Linda Langevin:

I'm with Voorheesville Central School District. I'm just wondering about funding, I'm very interested in your comment a few minutes ago regarding the fact that there is probably not going to be a redistribution of funds based on little accountability measures. But I'm also interested in whether or not the funding in general is going to be reduced over time at the federal level.

James A. Kadamus:

It's hard to tell on that. There are a lot of competing resources. I was in Washington last week and there's a lot of talk about a 2 percent cut in all federal programs across the board to pay for Hurricanes Katrina and Rita and now whatever is going to happen today with Hurricane Wilma. You've got some real possibility that you're going to start seeing federal programs be cut and programs that never really advanced the way people had projected them to advance. Could people be losing money? Possibly. But, again, to keep going back to the fact that federal money is about 7 percent of all money in the state. So it's not what's the driving the system. The federal government wants to drive the system through the accountability and through the requirements, but in fact when you get down to the question of spending, it's not driving the system. It's not driving resource on location. Would a 2 percent cut have a devastating effect? Maybe not, I think it's much more likely to have an impact on school funding in New York State. New York State funding is close to 45 percent of total funding out there and in many poor districts it's 78 to 90 percent of the funding. So that's more likely to have an impact in the long run on resources that are available rather than the federal side.

Will Backes:

I'm with Ways and Means. I was interested in the issue of turnaround time in testing and are the tests starting to be more targeted towards curriculum or vice versa?

James A. Kadamus:

Well, I think the tests are more targeted towards curriculum. Just last week we had a group of teachers that come in that we call the Finalize Group, the people who look at the tests just before they go out the door. They had some very positive feedback, particularly around the literature selections in the 3 through 8 testing across all grade levels. They were seeing them as more connected to instruction. They could see that this is material that they had used in their classrooms and that they felt kids would be engaged in. That's really important for us because it's tough to create passages that have that kind of reading

material that kids will engage in, in a short period of time in a short test. A lot of test contractors develop material that is written by people and it's around a lot of frogs and ducks. It's written about animals and things that just don't interest a lot of kids. I think we're really working very hard at trying to make these more instructionally sensitive.

On the issue of turnaround time, turnaround time is difficult, especially when you're in a new testing system. This year our turnaround time is going to be longer that we would like. We'd like to get to a turnaround time where we can get all of the test scores in 3 through 8 back at the end of the school year. That won't happen this year. It won't happen for a couple of reasons. One, it's the first time that we're doing 6th grade tests. We're moving from about 1.75 million tests to over 3 million or 4 million tests this year. So we've really jumped up the amount of tests that we're giving. We've got to give people time to score the test. Remember, we put writing on every test so we've got to give people time to score the tests. We also this time have to do what we call "scaling and equating" post-test once we have the operational data. We've pre-tested all of these questions on New York students, but you know it's unlikely that the schools had responded and put all of the alignment of the curriculum in grade by grade last year when we did the field testing. Most people are doing it already and did it over the summer and for this year. Remember, we went from just general standards — end of 4th, end of 8th — to where what we need to do in math in 3rd grade, 4th grade, 5th grade, 6th grade, 7th grade, and 8th grade. Probably, we've got field test data that may not be telling us the truth about student performance. So we need to look at the operational data. We need to do that scaling and equating on that operational data and then certify the test at that point.

Next year, we won't have to go and do our standards setting. It takes about four to six weeks to set the standards where the cut points are in the test. We won't have to do that next year. That will cut off some of the timeframe. I'm expecting the scoring to get a little bit more efficient after the first year. But there will be a lot of complaints this year. People are going to say it's taking a long time. This is what happened when we did the 4th and 8th grade tests six years ago. People said, "It took a long time and it was really

hard. There were some inconsistencies." We'll adjust for all that and it will get better over time. We'll figure this out.

But that's just part of the reality, especially when you're thinking about trying to create a vertical scale. If you're thinking about trying to create a vertical scale, you've got to get the scaling right. I recall here a few years ago when Rudy Crew was chancellor in New York City, they for the first time gave a grade-by-grade test in mathematics and found out that the 5th graders outscored the 6th graders. They had higher scores than the 6th graders. They either had problems with their items or problems with their scaling. I can't have that. I can't have a situation like that. I've got to have 6th grade expectations that are above 5th grade expectations. There are some 5th graders who are going to outscore the 6th graders, but as a whole 6th graders ought to do better than 5th graders. If they're not, I've got a problem with the logic of how this test flows and I don't have a vertical scale. So I've got to spend time on that. It will be well into late summer before we have the test scores back. Some people will say, "Well, what good is it? The kids have already gone on to the next grade."

But remember, the amount of information that the tests are telling you about an individual kid is pretty limited. In fact, if we went out right now and we went over to Bethlehem or Voorheesville or Shenendehowa, I bet your teachers will tell you who's going to score Level 1 on that test and I bet they're going to be 99 percent right because they're doing local assessment day by day, week by week. They know where the kids are basically going to score. It may be tricky for those high 2s to 3s or those 3s to 4s. But basically, they're going to tell the kids that are Level 1. They know that already. What I can add to that is not that great. What I can add to the system is I can look at structural strengths and weaknesses against the state standard. They can look at their classrooms across grade levels and now over time. So, if I had let's say 4 or 5 questions about measurement on every test, if you look at one test, 4th grade, and look at those five questions on measurement, what's good for measurement? Three out of five? Four out of five? Probably, one out of five isn't good, but what does two out of five mean? It probably doesn't mean that much. But if I look at a group of kids over six years and by

8th grade they still get the measurement questions wrong, that tells me that my instructional program is not progressing to teach kids how to be measured in a more complex way. That's the first time we've ever been able to do that. I haven't been able to do that. It's a long way to being in 4th grade and 8th grade. I have two checkpoints right now and a lot of people go, "Gee, why is it that you can get 75 percent of your kids to proficiency in 4th grade math but only 55 percent of your kids to proficiency by the 8th grade?" The answer is, 8th grade is more complicated. It's not the same math. We're introducing problem solving, pre-algebra, and pre-geometry. We're introducing more complicated statistics and different types of analysis, probability, and statistics. Something happened between 4th and 8th grade where this system has not progressed in math. Now, we'll know. I speculate, as a lot of us have speculated, that it's in 5th and 6th grade. That 5th and 6th grade is pretty much a repeat of 3 and 4 in mathematics and is not introducing new concepts. We'll find that out when we look at the scores. That's the kind of thing we'll know. But individual kid data will probably not be anywhere near as important as looking at classrooms, schools, and districts.

Tom McGowan:

I'm with Glens Falls City Schools. Jim, is there any thought in the state to give flexibility to districts to work on the cohorts that you talked about coming into 9th grade, allowing districts to have five-year cohorts? You know that 9th grade is a tough year because many kids coming in are not ready. Could the districts have the opportunity to keep their kids for five years versus the four? They basically get penalized for that now.

James A. Kadamus:

Yes. The Act is pretty hard on four years. They do allow students with disabilities now to do five and I hear that they are going to allow English language learners to be in a five-year cohort. Those are two good developments. But for general ed kids, there has been no movement on that from the federal level. In part, I think it's not so much about trying to hold the high schools accountable, I think it's get kids ready by 9th grade. It's kind of an accountability system that pushes back to the elementary and middle school grades in

terms of saying four-year cohort. But I do think there are a lot of kids that in the 5th year, 6th year, we gain about that 67.5 percent number that I told you in the four-year cohort that will go up about 75 percent or 76 percent after five years. There are a lot of kids who stick it out and stay longer because they are so far behind in 9th grade. It probably won't happen until the reauthorization. I think it's possible in the reauthorization. What I see districts doing instead is creating a transitional cohort from the 8th to 9th grade and not classifying kids as 9th graders. That's what's happening in a lot of the places around the state. You decide when a kid is a 9th grader.

Tom McGowan:

There is an issue of mobility. Every year the 9th grade gets, in our example, 40 or 50 9th graders this year from outside the district. They're not an issue, but we can push them back to 5th grade again and work them through. So in those types of things inside the school district and the cohort number, you can't go back and reopen and reauthorize every 8th grader.

James A. Kadamus:

Of course, the student ID system will help us now know more about that. We'll know how many of the kids who are in 9th grade were in your school last year versus how many of the kids in 9th grade are moving in. Maybe we can begin to look at adjustments to that and go to the federal government and say, "Look it, we want to factor that in to the accountability system in some way so that school districts aren't penalized because kids are just showing up on their doorstep."

On the other hand, I've always had to keep the balance in here. I looked at International High School in Long Island City, Queens, which only gets kids who are new entrants to this country. That's one of the places they go in New York City. If we went there today, if we went to the library; they would have five kids who showed up today. There are 37 different languages spoken in the school at any point in time. Last year, over half of their kids passed the English Regents in three years, coming in at the

entry point not speaking virtually any English. They've got a four-year graduation rate that is about comparable to the City as a whole. Of course what they do is infuse literacy throughout the curriculum everywhere. In fact, they were so intense about this, I toured the school and finally I said, "I have to get off the tour here because this is not to be believed." So I went to the phys ed class and they had a board up. They had all the kids sitting there and most of these kids had never played baseball. They were going to go out and play softball in the schoolyard afterwards. But they were actually talking about double plays and all the different ways you can get a double play. They had a vocabulary list on the board and they were actually essentially teaching a literacy lesson in gym class. The gym teacher was teaching literacy. In your districts, you don't have gym teachers who teach literacy. But that was how it was so infused in the curriculum. Nobody went anywhere without being constantly barraged with English language. You weren't allowed to speak your own language in the school. You had to speak English to the extent you could. When you went to the lunchroom and sat with the kids, they basically spoke English. They didn't sit by country of origin, interestingly enough. That was one of the things I wanted to see, did they sit by country? They didn't. They sat by boys and girls, dates, and by age. The seniors sat with the seniors. The freshmen sat with the freshmen, just like Bethlehem.

Doug Bailey:

I'm here on behalf of the Council of Family and Child Caring Agencies. Jim, could you clarify the accountability system, the responsibilities for kids in settings like private schools for students with disabilities, BOCES, or schools placed by parents?

James A. Kadamus:

The district is accountable for those kids at a district level but not at a school level. So if they're not in your school, if they're in BOCES for example, they would be in your district count but not in your school count.

Allison Armour-Garb:

I'm from the Rockefeller Institute. I'm wondering if you could talk about what's happening at the higher education level in New York to address school administrators and teachers who are comfortable with managing data?

James A. Kadamus:

That's a great question. In the last few years, New York State has redone teacher certification requirements. We are in the process of redoing the administrative certification requirements and within that is a greater emphasis on being able to understand and use assessment data. We are just seeing the first graduates of those undergraduate teacher ed programs this year and we will be seeing the start of the administrative programs. I think this is a very weak area in New York State and a lot more needs to be done at the higher education level. Education is kind of following business. It has suddenly become a lot more data driven in the last decade. I think five years from now people are going to look at this as the dark ages of data. "Remember when we didn't have an individual student record system? Or when we had just had the 4th and 8th grade test?" Now we think back, "Remember ten years ago when we just had the PEP test or minimum competency test? Look how much more we know now." I think there will be a whole other revolution in data, data analysis, and the ability to use data to change classroom performance. But I really do think that a lot of this is going to end up having to be done through professional development because the people in the system now didn't get this.

Will higher education change fast enough? I think it will probably be more on the administrative level. I see administrators very sensitive to this, really recognizing that we're in a business now that counts a lot, for good or for bad. I think there are some bad things for this. Maybe we're seeing social studies, the arts, or other things de-emphasized here because they're harder to count. We don't have a state test and when testing gets taught and you're counting this stuff and are we getting too obsessed with we've got to

move the numbers 5 percent and therefore it gets into a drill and kill kind of approach. I think we can go too far on it.

Certainly, when I talk about testing I always talk about the limitations. When he asked me a question, "When can we get the individual kids scores?" Individual kid scores probably have the least importance of all of this. These data become better as they move up or are aggregated in bigger and bigger amounts. When I look at 220,000 kids tested, I'm pretty sure of what the trends are. When I look at one, I'm not so sure. They could've had a stomach ache that day. They could've had a fight with their mother. There could be a problem at home. There's lots of things that affect kids' performance on any given day and you really only need to look at that in the context of everything else that you're doing and what all the other signals are telling you day in and day out in school.

Jim Jackson:

I'm from North Colonie School District. Everything that we're looking at here, I think, is doable. One of the big issues that we see out there is attracting the strongest teachers, teachers having the ability to adjust to these various kinds of environments. For example, a social studies teacher may know social studies quite well, but that teacher does not have training in reading and so forth. They are not going to be very effective in teaching children how to read or how to make that kind of progress. The other thing is if you look at when the Regents program was put in, we had the New York State College of Teachers that trained teachers specifically to do what we wanted to have done. What I don't see happening now is the kind of training and special connection with the colleges so that they can train people to do what you need to have done in your schools. What we're finding is that the pool is getting smaller and smaller. What I've never seen happen before is that we're having teachers who have tenure leaving some districts and coming to these suburban schools. So what I'm seeing happening is you look at the numbers and see immediately the gap instead of getting closer between urban schools and rural schools is getting further apart.

The focus that we have now is to hire people, bring them in the summer, and essentially train them to do the kinds of things we want to do and then do this throughout the course of the year. In order to accomplish these objectives, these are the kind of people that you're going to have to have do it. Otherwise, the gap will get bigger and wider at the end.

James A. Kadamus:

I think you've hit an issue that, Brian and Dick, maybe this is another seminar that we could do with Jim Wyckoff here because he's done a lot of research at the University at Albany, some commissioned by us and some by others, on what's happening with the teaching pool. Just a couple of things to reinforce what you said. *[EDITOR'S NOTE: A Follow-Up Session on Workforce planning in Education was held on March 29, 2006.]* One, we have an aging teaching pool; we have a lot of teachers retiring out. Many of the teachers are baby boomers that are basically going to be leaving the system in the next five years and surely administrators too. Secondly, we are not attracting the best students into teaching. If you look at SAT scores, and grade point average in high school, basically you're getting a middling or lower level of kid in the education program. Where 20 or 30 years ago, you were getting some of your best students in education. Third is that the labor pool is very localized in education. By and large, based on Wyckoff's research, most teachers teach within 40 miles of where they went to high school. They may go to college some place else, but they come back home to teach. So the labor pool is very limited. We are seeing increasing trends and what he's looking at is recruitment. Yonkers recruits in the Bronx. They look at the best performing schools in the Bronx and they go down because they can offer those teachers $10,000 more to come up 10 miles north to teach in Yonkers. That is a conscious strategy. You're starting to see this movement across districts.

I think we're in for some really difficult times on the whole issue of teaching, what the incentive structure is. While teachers won't tell you necessarily it is money that drives them for teaching, that's not always number one on their list. I do think we could go back to the question you asked earlier about value at pap for performance here. I think

that the labor contracts are probably going to end up having to change. I think what you're seeing in New York City with Bloomberg and Klein negotiating with UFP is a harbinger of the future. You're going to have to create some career lines for teachers who want to be master teachers. I think there is going to have to be some different incentive structures created for teachers to go to the lowest-performing schools and districts. It's something that No Child Left Behind doesn't really address now because it was looking at the floor. A lot of what No Child Left Behind does is look at the floor. It says, "Let's push the floor up." But it's really not looking at how you extend out for higher quality over time. Maybe that's a whole other seminar.

Brian Stenson:

Thank you very much, Jim. We appreciate the excellent presentation and marvelous responses to some important questions.