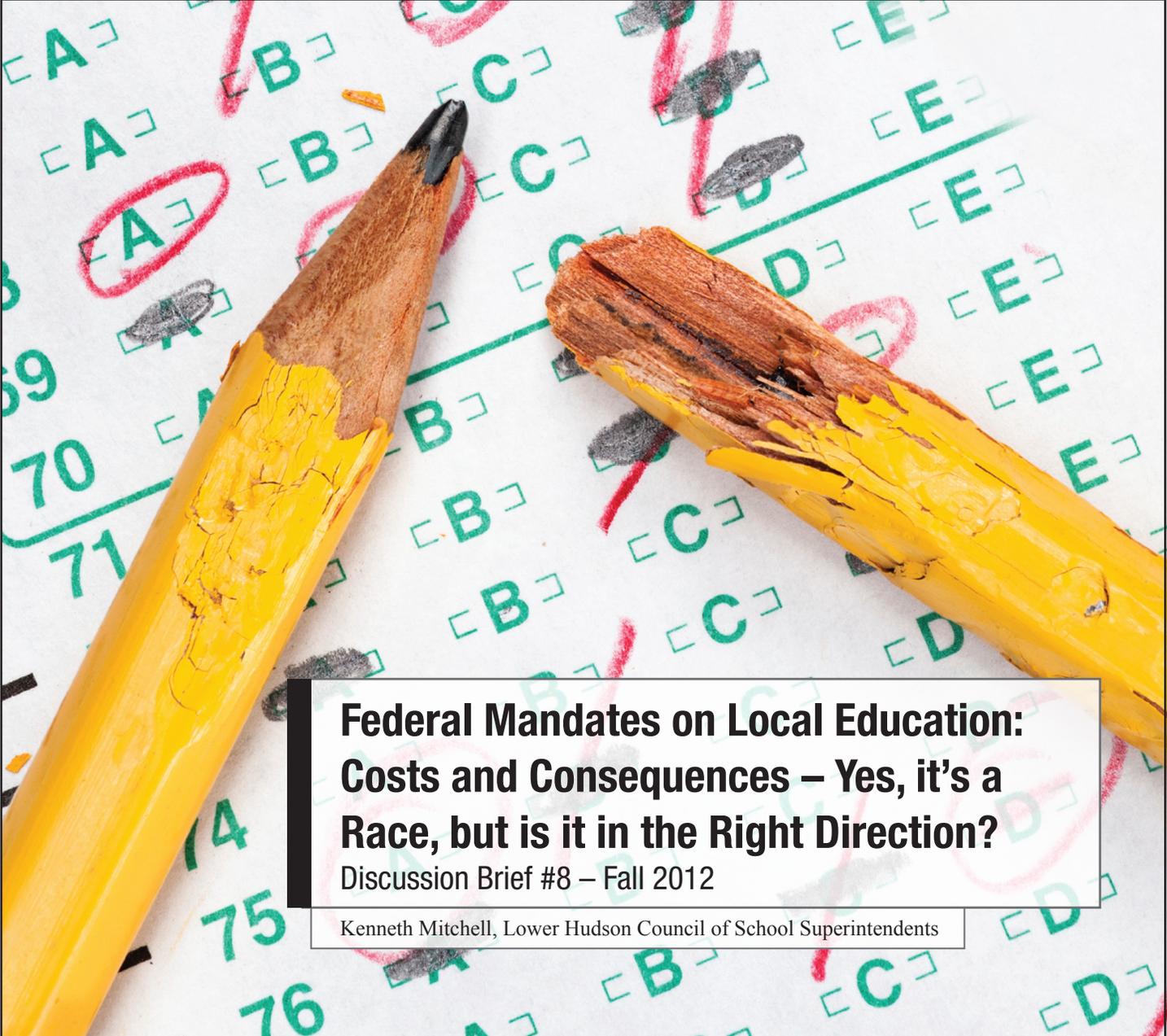


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CENTER FOR RESEARCH, REGIONAL EDUCATION AND OUTREACH

STATE UNIVERSITY OF NEW YORK AT NEW PALTZ



**Federal Mandates on Local Education:
Costs and Consequences – Yes, it's a
Race, but is it in the Right Direction?**

Discussion Brief #8 – Fall 2012

Kenneth Mitchell, Lower Hudson Council of School Superintendents



Much is being sacrificed to meet both this expensive mandate and the newly enacted tax cap, all while serious challenges to the program's validity and the research upon which it is based remain.



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NEW YORK'S HARD WON INCLUSION IN THE FEDERAL RACE TO THE TOP (RTTT) INITIATIVE HAS ALREADY DRAMATICALLY CHANGED BOTH HOW WE EDUCATE OUR CHILDREN AND HOW WE FUND PUBLIC K-12 EDUCATION IN OUR STATE.

This report finds:

- The costs to implement RTTT mandates will exceed the funding, for example:
 - In six Rockland County districts, leaders projected a total four-year cost of almost \$11 million. This compares with an aggregate revenue of about \$400K in Race to the Top funding – a \$10 million deficit representing an increase in average per pupil spending for this single initiative of nearly \$400 per student.
 - In a sample of eighteen Lower Hudson school districts, the aggregate cost just to get ready for the first year of RTTT in September 2012 was \$6,472,166, while the aggregate funding was \$520,415. These districts had to make up a cost differential of \$5,951,751 with local taxpayer dollars.
- There are serious challenges to this federal program's validity, and the research upon which it is based. Without substantive validation, New York State and U.S. taxpayers are funding a grand and costly experiment that has the potential to take public education in the wrong direction at a time when we need to be more competitive than ever before.
- Much is being sacrificed to meet this expensive mandate in the context of the state's newly enacted tax cap, including: teacher and staff cuts resulting in increased class sizes; redirected priorities and unmet facilities' needs; diminishing professional

Every school district in the state, no matter how well students and teachers had performed in the past, would have to revise curriculum, restructure assessment systems, reopen union contracts, adjust ongoing strategic planning, modify long-term budget plans, and fund new mandates.

development; a narrowing of curriculum; and sacrificed leadership in curriculum development and non-traditional approaches.

- New York's leaders still have the opportunity to change its course before its school systems are radically and unalterably changed, perhaps for the worse, and at a great short and long-term financial loss to all taxpayers.
- This paper recommends: a mid-course assessment to determine progress for achieving real return on this costly investment; greater local flexibility in evaluation processes; more careful consideration of the technology infrastructure and testing costs implications; and better planning, especially concerning teachers and principals who receive poor evaluations.

In August 2010, the United States Education Department announced that New York State was one of ten jurisdictions (nine states and the District of Columbia) to succeed in the second round competition in the Federal Race to the Top initiative (RTTT). It was big money:

\$696,646,000 for our state over four years. To get it, the New York State Board of Regents committed to a reform agenda comprised of twenty-seven projects. Half the award was to go to Local Education Agencies (LEAs), school districts, and charter schools, to support implementation. The other half was to be used "to build the capacity of educators state-wide and directly support new curriculum models, standards, assessments, teacher and principal preparation, professional development, and the statewide student data system" (NYSED, 2010).

States and local school districts are the major players in financing and delivering elementary and secondary education in the United States, not the national government. Race to the Top is the latest of several efforts to leverage federal resources to redirect educational policy. The states, starved for resources, have come to be more or less willing partners in this centralization. Yet, New York's experience with Race to the Top thus far raises questions about whether victory in this federal competition is worth the costs. In a time of extreme resource constraints, extensive unfunded new administrative and

oversight spending has been mandated, displacing resources and attention needed for the direct delivery of instruction. And it is far from certain that the results will be positive for student learning. Via a case study of Lower Hudson Valley school districts, this report documents and brings into specific focus the early local consequences of Race to the Top in our region.

THE RACE TO THE TOP IN NEW YORK STATE

Race to the Top is a four year, \$4.35 billion competitive Obama administration reform initiative in elementary and secondary education, designed to spur states and localities to:

- Adopt internationally-benchmarked standards and assessments that prepare students for success in college and the workplace
- Build instructional data systems that measure student success and inform teachers and principals on how they can improve their practice
- Recruit, develop, retain, and reward effective teachers and principals
- Turn around the lowest-achieving schools

New York was a finalist in the first

round of the competition, but it was not one of the two states selected for funding. After reapplication, New York was funded in the second round. This study provides evidence that this “win” confirms writer Irving Kristol’s observation that “The real disasters in life begin when you get what you want” (1995).

Commitments made by New York State to be a Race to the Top winner, enacted into law, were extensive. As a result of their adoption, every school district in the state, no matter how well students and teachers in the district had performed in the past, would have to revise curriculum, restructure assessment systems, reopen union contracts, adjust ongoing strategic planning, modify long-term budget plans, and fund new mandates.

New York State’s promise to increase the number of charter schools was critical to the state being a contender for RTTT. Based upon the hotly contested idea that competition

between and among providers of education was likely to improve outcomes, a promise was made in law to grow the potential number of charter schools in the state from 200 to 460 (10% of NYS public schools).

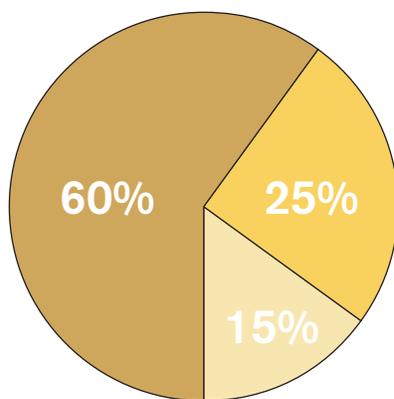
The state’s primary goal was to link assessment of teachers and administrators to measures of performance (educational outcomes). To do this, New York sought to create a statewide principal and teacher evaluation system, 40% of which was based on student achievement. This in turn required both a new K-12 testing regimen and redesign of evaluation systems already in place.

In order to accommodate the revision of the principal and teacher evaluation system, Albany had to create a new section of the Education Law (3012-C). Since 2000, Sections 3012-A and -B have required school boards to adopt Annual Professional Performance Review (APPR) plans that include annual teacher

evaluations, eight mandated criteria, standardized evaluations processes, and a mechanism – Teacher Improvement Plans (TIPS) – to support teachers with unsatisfactory performances. The new section also requires:

- Mandatory evaluation criteria for “Student Achievement”
- Annual performance reviews for principals (as well as teachers)
- Use of evaluations as a significant factor for employment decisions, including but not limited to promotion, retention, tenure determination, termination, and supplemental compensation
- Four rating categories for teachers and principals with explicit scoring ranges for each category, HEDI: Highly effective, Effective, Developing, and Ineffective
- A composite, locally-developed effectiveness score for teachers and principals that incorporates multiple measures of effectiveness
- Mandated training for each

Figure 1. Composition and Allocation of Student Achievement Measures



- Student growth data based on state assessments
- Local measures of student achievement
- Local evaluations, ratings, and effectiveness scores

The student achievement measures include three elements, defined and allocated as follows: 25% for student growth data based on state assessments as prescribed by the commissioner or a comparable measure of student growth if such growth data is not available; 15% for other local measures: based on other local measures of student achievement determined to be rigorous and comparable across classrooms in accordance with commissioner’s regulations, and, as are locally developed, consistent with negotiated procedures; and 60% for other evaluations, ratings, and effectiveness scores, also locally developed and negotiated, consistent with standards prescribed in commissioner’s regulations.

individual who is responsible for conducting an evaluation of a teacher or a building principal

- Teacher and Principal Improvement Plans (TIPS & PIPS) for teachers identified as Ineffective or Developing
- A locally established and negotiated appeal process when there are “Adverse Evaluations” to ensure due process
- Establishment of baseline data as the basis for measuring student growth for the purpose of evaluating teachers

Following the legal settlement of a lawsuit by the New York State United Teachers that challenged certain elements of the law, the deadline for accomplishing all of these changes was July 1, 2012. Thus, in relatively short order, school districts were required to adjust locally-identified priorities, and, in some cases, upend established multi-year strategic plans to give priority to state-determined reforms. Because these were covered by labor contracts, districts were also required to renegotiate evaluation plan elements and procedures with unions to bring the Annual Professional Performance Review (APPR) processes already in place into accord with new legal requirements for teacher and principal evaluations. At the same time, district leaders needed to identify the objectives, activities, and costs to implement the required training of teachers and administrators associated with the new evaluation system. To do all this, localities had to get the necessary technology and data systems to manage all the information to be used to assess students, teachers, administrators, schools, and districts (in

THE DEVIL IS IN THE DETAILS

An appreciation of the multiplicity and character of the required tasks may be gathered by juxtaposing the actual actions required of localities with the directives specified in the State Education Department directive of June 2011 entitled “New York State Race to the Top: Scope of the Work.” They are divided into three major categories: Standards and Assessments, Data Systems, and Training and Evaluation.

Standards and Assessments

- New York school districts were required to revamp their standards and assessments: Adopt Common Core Standards for English Language Arts (ELA) and Mathematics
- Realign high school diploma and assessment policies with college and career success
- Put in place new statewide curriculum models aligned with college and career readiness standards
- Create and implement new ELA and Mathematics Assessments
- Prepare new and existing teachers and principals to teach and design instruction aligned with the new standards and assessments

To do this work, districts must:

- Compensate teachers to redesign curriculum that had been developed over many years
- Purchase new materials to support the new curriculum
- Purchase or design new assessments that would be able to withstand a potential legal challenge from teachers and administrators who would now be evaluated on the basis of the assessment tool’s validity and reliability
- Implement new scoring systems to comply with the education law for security assurances that also requires second party scoring

- Provide training for the delivery of the new curriculum, assessments, and evaluation systems

Data Systems

Expanded testing for RTTT demands that districts acquire and manage the requisite technology. They also need to commit to using the resultant data to inform pedagogy:

- New York’s teachers are required to draw on best practices and use data to differentiate instruction
- New York’s principals are required to use data to inform teacher recruitment, evaluation, and differentiated professional development
- New York State requires local support for its commitment to an Early Warning System to help at-risk students and to keep them on track to graduate, and so that it may launch research partnerships to find out what works to improve outcomes for students

In a follow-up State Education Department directive sent in October 2011, New York’s school leaders received a plan and associated “minimum specifications” for the purchase of the necessary technology to support computer-delivered assessments projected to begin in 2014. While many districts across the state had data systems in place, or were developing them, the

— *continued*

THE DEVIL IS IN THE DETAILS

— *continued*

work was occurring at a pace that was determined locally and within budgeted resources. The new mandate would now require many districts to accelerate their efforts, reallocate resources assigned to other priorities, or risk losing state funding for failure to have the required APPR plan in place.

To comply with the data system requirements, districts must:

- Upgrade their technology infrastructure (e.g., Internet access, bandwidth, server space, etc.) to accommodate the new assessments
- Comply with state requirements and specifications related to the new technologies
- Purchase new hardware, software, and licensing agreements
- Provide training for the data teams
- Provide personnel for tech support
- Provide training for the use of the new technologies

Training and Evaluation

In order to provide students and schools with “Great Teachers & Leaders,” New York State committed itself to:

- Providing teachers and principals with clinically-rich preparation and certifying them based on clinical skills and results
- Providing incentives to Highly Effective teachers and principals to mentor colleagues and transfer to high-need schools

As noted above, the state also committed to a teacher and principal evaluation system that:

- Incorporated student achievement
- Informed differentiated professional development
- Enabled expedited removal of teachers and principals who are rated Ineffective for two consecutive years

To do this work, districts must:

- Provide training in the use of the new evaluation systems
- Train teachers and principals in the use of the new evaluation instruments
- Train and certify district evaluators
- Develop observation and evaluation systems to ensure that every teacher and principal would receive a minimum number of formal observations and an annual evaluation
- Expand supervisory resources to ensure that the number of mandated observations and evaluations could be achieved
- Employ legal services to ensure that the new evaluation systems would not only be in compliance with the new education law but could withstand inevitable legal challenges

addition to NYSED’s own data base, funded through RTTT).

Moreover, in order to accommodate the new testing and evaluation systems, school districts are also being required to transform curriculum so that there is alignment with Common Core Standards from which new assessments will be derived. This transformation demands that schools acquire or develop new materials, assessments, and other related tools to ensure that there is adequate alignment. These acquisitions must be accompanied by professional development so that those responsible for using the new materials are properly equipped to do so with the utmost efficacy, especially given the high stakes associated with the outcomes.

FISCAL CHALLENGES AND COSTS TO LOCAL DISTRICTS

Implementation of all these “reforms” costs money, lots of it. In fact, over the next four years the local costs of Race to the Top will greatly exceed the funding local districts will receive from the program.

Fund Distribution to New York Schools

Over a four-year program period, the \$348.3 million for “participating” (it is mandated that all districts participate) Local Education Agencies (LEAs) will be annually distributed. Thus, the over 700 New York State public school districts and additional charter schools will share \$87 million dollars per year. Simply dividing the \$87 million by the 2.3 million students in New York State public schools, equates to approximately \$38 per student, per year. However, this number will vary considerably based on a

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Table 1. Race to the Top Sub-grant Funding in a Cross-section of School Districts in Rockland and Westchester Counties

School District	Student Population	RTTT Total Grant	RTTT Annual Grant	Annual Per Pupil Grant
Rockland County				
Clarkstown	8,900	\$36,880	\$9,220	\$1.03
North Rockland	8,000	\$239,495	\$59,874	\$7.48
Nyack	3,000	\$64,000	\$16,000	\$5.33
Pearl River	2,600	\$10,840	\$2,710	\$1.04
Nanuet	2,400	\$18,416	\$4,604	\$1.91
South Orangetown	3,500	\$23,366	\$5,841	\$1.66
Total	28,400	\$392,997	\$98,249	\$3.46
Westchester County				
Ardsley	2,100	\$7,348	\$1,837	\$0.87
Bedford	4,330	\$98,378	\$24,595	\$5.70
Eastchester	3,100	\$14,771	\$3,693	\$1.19
Harrison	3,500	\$29,260	\$7,315	\$2.09
Irvington	1,800	\$10,517	\$2,629	\$1.46
Mamaroneck	5,000	\$34,546	\$8,637	\$1.72
New Rochelle	10,700	\$504,917	\$126,229	\$11.79
Rye Neck	1,500	\$10,619	\$265,475	\$1.76
Total	32,030	\$710,356	\$177,589	\$5.54

“needs-based” formula to ensure that less-affluent communities receive more funding.

Examples from Rockland and Westchester counties are illustrative. A middle class Lower Hudson Valley school district, South Orangetown, with approximately 3500 students, will receive just under \$6,000 per year. In this district, per pupil Race to the Top funding equates to \$1.66 per student per year, for a four-year per student total of \$6.64 dollars. In six of the nine

Rockland County school districts surveyed, collectively they would receive \$98, 249 per year of Race to the Top funding, or a four-year total of \$392,997. These are six districts of varying sizes that educate nearly 29,000 students from communities that reflect unique sets of socioeconomic and demographic needs. Three quarters of this money is slated for one district: North Rockland. In eight Westchester County school districts across a range of sizes and economic strata, the expected support ranges from

\$11.79 per pupil per year in New Rochelle to \$0.87 per pupil per year in Ardsley.

Projections of Local Costs

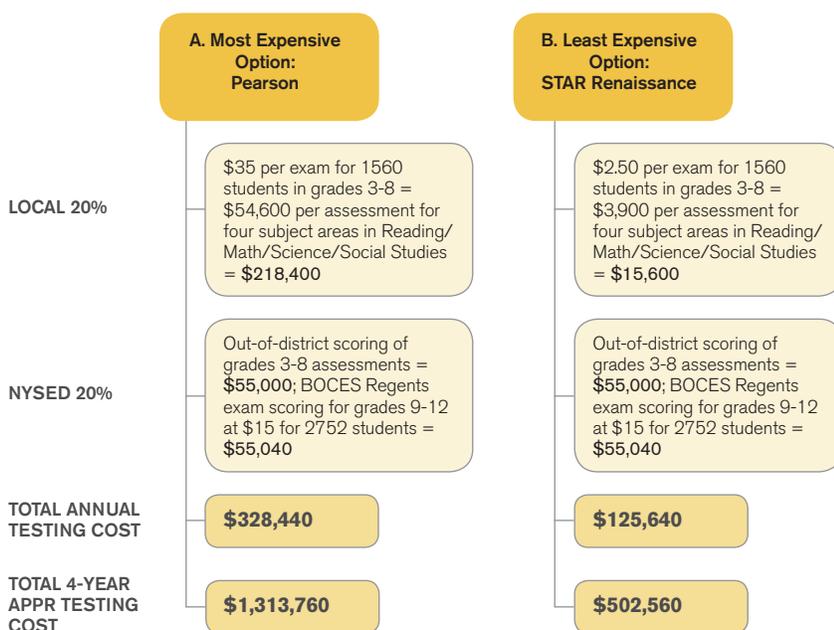
In spring 2011, a group of six Rockland County school districts developed a set of projections to estimate how much it would cost them to implement the Race to the Top reforms. They estimated costs for implementing Common Core: curriculum including revision and materials; staff training including substitute costs, supervision, evaluation, and instruction; and data analysis including assessment and technology.

Using a common formula and working independently of each other, the administrators in charge of curriculum and instruction for these six districts estimated such factors as the hourly rates for curriculum development, per diem rates for substitutes, cost of new materials (e.g., textbooks, license, software, assessments), fees for outside trainers, and in-kind labor of current staff.

These district leaders projected a total four-year cost of \$10,886,712. This compares with an aggregate revenue of \$393,000 in Race to the Top funding – an over \$10 million deficit. This represents an increase in average per pupil spending for this single initiative of nearly \$400 per student.

In six Rockland County districts, leaders projected a total four-year cost of almost \$11 million, this compares with an aggregate revenue of about \$400K in Race to the Top funding - a \$10 million deficit. This represents an increase in average per pupil spending for this single initiative of nearly \$400 per student.

Figure 2. Two Scenarios of the Estimated Costs Associated with APPR Mandated Testing and Scoring in a Typical Lower Hudson School District



Note: These costs are conservatively estimated. They do not include the purchase, development, or scoring costs for subjects for which tests have not been developed or that require alternative forms of measures. Such assessments, defined as Student Learning Objectives (SLOs) have additional costs.

An Example: The Costs of Additional Testing and Scoring

The new legislation requires districts to locally assess students and use the results of the assessments to evaluate teachers and principals. The local assessment will provide 20 points out of a 100 point total composite score for a teacher or principal in the first year, or until the state can

develop a more advanced evaluation system. After this system is developed, the state's testing will be worth 25% of a teacher's score, while the local test will garner 15%.

Districts may choose from a list of state-approved vendors or develop their own assessments. While Commissioner John King

has argued that it is unnecessary for local districts to purchase from vendors as they can "develop their own assessments," the locally developed assessments must be "rigorous and comparable" and conform with psychometric standards to ensure validity (they test what they are supposed to test) and reliability (the measurement is consistent). Unless school districts have the resource capacity to employ testing experts to ensure that the locally designed assessments are valid and reliable, many school districts will choose from the state-approved list in order to minimize litigation when student test scores affect a teacher or principal's evaluation score. Vendor costs for the local exams vary widely.

Figure 2 demonstrates two scenarios reflecting the most and least expensive assessment and scoring costs for a typical Lower Hudson Valley school district with an enrollment of about 4700 students. The company that New York State contracted to develop the state's tests – the other 20% of the composite score – is Pearson, the most expensive of the state-approved vendors. Scenario A is an example of the cost for using the Pearson assessment tool (Performance-based Task Assessment Series) for a single

In a sample of eighteen Lower Hudson school districts, the aggregate cost for September 2012 readiness was \$6,472,166, while the aggregate funding was \$520,415. These districts had to make up a cost differential of \$5,951,751 with local taxpayer funding.

Table 2. Estimated 2012-2013 Costs Associated with APPR Mandates for Eighteen Lower Hudson Valley School Districts

	COMPONENT	COST
Common Core	Training	\$783,236
	Curriculum Development (15 districts)	\$1,264,174
	Materials	\$2,047,410
		\$4,094,820
3012C Training	Certification of Supervisors	\$322,323
Assessments	Local 20% (14 districts)	\$400,573
	Scoring (16 districts)	\$591,656
	SLO (8 districts)	\$262,596
		\$1,254,825
Technology	Miscellaneous Costs (12 districts)	\$1,373,379
Professional Development	Miscellaneous Costs (17 districts)	\$1,024,148
	TOTAL COSTS	\$6,472,166
	TOTAL RTTT FUNDING	\$520,415
	UNFUNDED COSTS	\$5,951,751

Note: Unless otherwise noted, data is for all districts: in Rockland, South Orangetown, Nyack, Nanuet, North Rockland, Pearl River, and Suffern; in Westchester, Ardsley, Byram Hills, Chappaqua, Harrison, Hendrick, Hudson, Lakeland, New Rochelle, North Salem, Rye Neck, and Valhalla; in Putnam, Brewster and Mahopac. These are real district costs and do not include in-kind expenses, such as additional staff hours. See Table 3 on page 17 for district level data.

year, combined with the cost for meeting the district's obligation to provide secure scoring for the state's 20%. In this situation, the district has analyzed the cost of using the Pearson assessment for grades three through eight. The district will be required to assess all students in the fall (or use data from an assessment used at the conclusion of the previous school year) and then again at the end of the year to show progress based on established targets.

Districts will have to develop

secure testing systems that will either employ teachers who are not currently teaching to score assessments after school or on weekends, or hire substitutes to relieve teachers from their instructional duties to score the exams – a loss of both financial resources and instructional time. Another option is to outsource the assessments to a vendor capable of providing secure and objective test scoring in accordance with the state's regulations on test security. The costs for both of these options are comparable.

If Scenario A district were to employ the least expensive test provider on the state's approved list, STAR Renaissance, the costs would be decreased by more than 60%. A school district of this size that chooses the least expensive set of exams, without the cost for Student Learning Objectives (SLO) development, will pay more than \$500,000 in testing costs over four years. This district will receive a total of approximately \$23,000 to implement the new reforms.

Some districts are tied to particular vendors, perhaps more expensive, because they have already made commitments to their student management (database) systems, support materials, and professional development. It would be logical for them to keep systems, training, materials and assessment tools aligned. Larger school systems could be likely to spend their dollars with these bigger companies.

The Actual Cost of Race to the Top in 2012 in the Lower Hudson Valley

In spring 2012, the Lower Hudson Council of School Superintendents surveyed eighteen school districts to assess the actual expenditures that districts had made or budgeted in order to comply with state Race to the Top requirements by the July

Without substantive validation of the Common Core, New York and U.S. taxpayers are funding a grand and costly experiment that has the potential to take public education in the wrong direction at a time when we need to be more competitive than ever before.

1, 2012 deadline. This sample of school districts includes very differently resourced communities of varying socio-economic character and diverse educational needs. The districts are also at different stages of implementation and readiness. Reported costs do not consider in-kind expenditures, such as major shifts in clerical or administrative responsibilities, or the additional amount of time that administrators will be devoting to supervision, not because there is a need but because there is a legal mandate to do so.

Based on the reports of these eighteen districts in Rockland, Westchester, and Putnam counties, actual expenditures for the implementation of the new reforms are reported in Table 2 within five categories: Common Core (Training, Curriculum Revision, and Materials); 3012C training; Assessments (Vendors, Scoring/Security, and Development); Technology Infrastructure; and related Professional Development. Training costs include workshops for teachers and principals, substitute costs, and webinars. Curriculum revision includes costs for planning, after-school, summer, and substitutes. Materials include the costs for new instructional materials and assessment tools. 3012C training includes principal training for supervision, BOCES training, and

lead evaluator training. The local 20% includes cost of new assessments, development of new assessments, scoring and security. Scoring costs includes state exam scoring and security costs. SLO costs include curriculum planning, afterschool, summer, and substitutes. Technology costs include the required hardware to increase bandwidth, wireless networking, desktops, and laptops. Professional development costs include other trainings related to APPR, RTTT, and performance-based assessments. Because not every district provided information in all categories, estimated costs are conservative.

In summary, the aggregate cost for implementation for September 2012 readiness was \$6,472,166, while the RTTT funding for this past year was \$520,415. These eighteen Lower Hudson Valley school districts have had to make up a cost differential of \$5,951,751 with local taxpayer dollars.

From a broader perspective, in May 2012, the Thomas B. Fordham Institute issued a paper on the total costs of implementing the Common Core, "Putting a Price Tag on the Common Core: How Much Will Smart Implementation Cost?" The authors identified three models: "Business as Usual";

"Bare Bones"; and "Balanced Implementation." "Business as Usual" uses the current method of delivering instruction and professional development; "Bare Bones" employs free open-source materials and online approaches to instruction, assessment, and professional development; and "Balanced Implementation" combines the two.

The Fordham study estimated that the aggregate cost in New York State for doing "Business as Usual" will require districts to incur an outlay of \$583 million. The estimated price tag for the "Balanced Approach" will be \$71 million. Savings using the "Bare Bones" are projected to be \$71 million, but without any consideration of required technology upgrades.

Viewed differently, the "Business as Usual" approach would cost \$249 to \$396 per pupil, or a 3% increase in average annual K-12 spending. Though the "Bare Bones" approach might at first seem to generate savings, it does not consider technology infrastructure, licensing, and other support, the reason that The Education Council, a bi-partisan D.C. public finance group, concludes, "Fordham has underestimated the costs." Indeed, another group, Accountability Works in Bethesda,

In an effort to raise test scores, districts are reducing instruction in the arts, music, and other non-tested resources, such as social workers or counselors. The system is being eviscerated to raise scores.

Maryland, calls the necessary technology upgrade the largest cost to Common Core (Gewertz, 2012).

Even Peter Cohen, C.E.O. of Pearson, acknowledged that the upfront costs for moving from paper-based to digital systems for Common Core implementation are prohibitive for most districts, “When you add up the cost of your mobile device, the cost of your bandwidth, the cost of your digital programs, the cost of your whiteboards, the cost of your professional development, you’re going to spend more on an annual basis than we spend for paper” (Tomassini, 2012).

In sum, the implementation of the Common Core must occur if there is to be a basis for the assessments. The shift to new assessments drives the costs of materials, training, technology, and scoring. Evaluation will be based upon these elements, as well. The Pioneer Institute estimates that, nationwide, the implementation of the Common Core will cost taxpayers \$16 billion.

WILL THESE REFORMS IMPROVE EDUCATION?

There remain serious challenges to the Common Core’s validity and the research upon which it is based. According to

Christopher Tienken (2011), “the standards have not been validated empirically and no metric has been set to monitor the intended or unintended consequences they will have on the education system and children.” A study commissioned by the Brookings Institute cites the dearth of evidence that supports the relationship between having rigorous standards and improved student achievement and reported that, “Despite all the money and effort devoted to developing the Common Core State Standards (CCSS) – not to mention the simmering controversy over their adoption in several states – the study foresees little to no impact on student learning” (Loveless, 2012, p.3).

Lucy Calkins, Mary Ehrenworth, and Christopher Lehman (2012) write, “The CCSS claim to be research based, but the vast majority of the research cited supports the fact that all is not well in America’s schools.” The founding Director of the Reading and Writing Project at Columbia University’s Teachers College elaborates:

“On the whole, the image of the curriculum implicit in CCSS (and explicit especially in the new documents attempting to spell out implications for instruction) is not visibly research based; it is not

based on large-scale reforms that have demonstrated a method for bringing high-needs students to the levels of the Common Core. If that were the case, then the nation would be invited to observe otherwise typical high-needs schools where most of the graduates are flourishing at their colleges. The CCSS represent an important hypothesis, but the problems are far better researched than the pathway forward”.

Without substantive validation of the Common Core, New York and U.S. taxpayers are funding a grand and costly experiment that has the potential to take public education in the wrong direction at a time when we need to be more competitive than ever before.

WHAT IS BEING SACRIFICED TO MEET MANDATES?

Race to the Top is being implemented simultaneously with the requirement, advanced by Governor Andrew Cuomo and adopted by the state legislature in June 2011, that school districts adhere to a 2% annual cap on property tax levy increases. With APPR costs alone estimated as representing at least a 3% increase in school budgets, it has most certainly exacerbated the tax cap pressure. It’s important to note that this burden is inequitably

“The APPR initiative takes us backward, it has us spending time and money implementing flawed evaluation methods from the 1950s and 60s and diverts resources (time, money and energy) from our efforts to meet high global standards for the new century.” – *Mike McGill, Scarsdale School Superintendent*

distributed; the cap allows locally collected revenue increases that range from \$500 per pupil in the state’s wealthiest districts to as low as \$50 per pupil in our least affluent districts. Moreover, more and more school districts are prioritizing meeting mandates in budgeting, rather than focusing on instructional priorities.

Staff Cuts and Increased Class Sizes

Districts having the greatest difficulty managing their budgets under the tax cap while implementing APPR have had to reduce instructional and non-instructional staff; class sizes have gone up and non-mandated programs and services have been eliminated. In North Rockland, Superintendent Ileana Eckert says, “Implementing APPR now is like remodeling and renovating your house after you just fired all your staff.” In this district, estimates are that between twenty and thirty teaching positions were eliminated over a two-year period to fund close to \$2 million obligated for the APPR requirements. These cuts have caused class sizes to increase, a consequence that is counterproductive in a district that is already challenged by a need to close the achievement gap for many of its students.

Redirected Priorities and Unmet Needs

Many districts have deferred maintenance work, even though this is actually a good time to get competitive pricing on projects. The dollars that have been saved via renegotiated (and conservative) teacher contracts, layoffs, and other efficiencies have been applied. There are also many districts that are not able to implement the plan with the fidelity that will be necessary to get it right and will have costs down the road when they are being challenged for issues with training, inter-rater reliability inconsistencies around teacher observations, and lack of materials.

Internal Professional Development Diminished

Other districts have also reported reductions in staffing. Curriculum leader positions needed to facilitate the transition to the Common Core and the new assessment process have been eliminated. One unintended consequence has been the creation of many cottage industries for “edupreneurs” and others in the “education business” – including big data, virtual schools, for profit private schools, and the testing sector.

State education officials cite the availability of support from regional network teams working out of the BOCES throughout New York. The teams have proven more than adequate for providing initial overviews and follow-up training. However, they are no substitute for the intensive and embedded labor and learning that occur on a day-to-day basis within each district, and that is especially helpful during this period of rapid and complex transformation. Such internal professional development support is being diminished to fund the implementation of the new mandates. For example, valuable school-based literacy coaches are essential for professional development that is now being reduced.

Narrowing the Curriculum

The Committee on Incentives and Test-based Accountability in Education of the National Research Council, in its report, “Incentives and Test-Based Accountability in Education,” warned in 2011 of a narrowing of the curriculum. The implication in their report is that an overly aggressive focus on testing may have a chilling effect on the creative and innovative spirit of teachers and principals. In an effort to raise scores, schools and districts are already reducing in-

“Sadly, the over-emphasis on testing, scoring, and class time lost for testing will not be worth the return on the multi-million dollar investment.”

- Jere Hochman, Bedford District Superintendent

struction in the arts, music, and other non-tested resources, such as social workers or counselors. The system is being eviscerated to raise scores.

Sacrificed Leadership in Curriculum Development and Non-Traditional Approaches
Superintendents in the Lower Hudson Valley have reported that the new mandates have derailed strategic plans, in some cases forcing districts to divert funding for programs geared to prepare students for a 21st century workplace. Scarsdale’s District Superintendent Mike McGill listed several initiatives that will now take a backseat to APPR driven costs:

“The APPR initiative takes us backward, it has us spending time and money implementing flawed evaluation methods from the 1950s and 60s and diverts resources (time, money and energy) from our efforts to meet high global standards for the new century. Our professional development aimed at local needs, especially Lesson Study, and our new Center For Innovation (aimed at school and teaching re-design for the 21st century and linked to enhanced uses of technology) will be unfunded or underfunded. APPR is also draining resources

from efforts to develop local performance assessments of critical and creative thinking and non-standard problem-solving. Likewise, it is compromising our efforts to implement an international standards initiative in collaboration with Columbia University and high performance schools in Singapore, Shanghai, Finland, Australia, and Canada. The time, energy and money devoted to APPR compliance are draining resources that could otherwise support real and virtual global interactions with students and schools overseas, as well as the development of interdisciplinary studies in a non-traditional school day.”

One district in Rockland County reported that plans to expand their robotics program, increase the number of career-tech tuitions for students, and a pilot of an electronic tablet program were postponed because of both diverted resources and the expenditure of time that would have to be devoted to new innovations.

Professional Risk-Aversion

The hidden costs may be greater than the outlay in dollars. Teachers and administrators, stressed by the rapid change, the demand for accountability via the new testing and observation require-

ments, and anxieties about receiving low scores, are very likely to abandon initiatives that may be innovative and beneficial for preparing the next generation, but are out of alignment with a narrowed professional agenda for staying within the “Effective” range on the APPR.

Good Intentions, But...

Most school superintendents agree that good systems for evaluation and professional development rank in importance for school districts, just behind hiring the most capable teachers and leaders. The development and use of quality teacher and principal evaluation, and tying professional growth to ambitious teaching and leadership standards, mandate or not, are essential. With this in mind, Jere Hochman, the superintendent of Bedford in northern Westchester County offers some praise to the state’s intentions, though with a caveat:

“The new APPR and the interest of the Governor, SED, and others have insured that all districts attend to this critical endeavor. Sadly, the over-emphasis on testing, scoring, and class time lost for testing will not be worth the return on the multi-million dollar investment.”

The National Academies' Research Council concluded that these approaches have had little or no impact on student learning, and may actually be counterproductive.



Shackled by time constraints and limited funding, districts across the state, concerned by Governor Cuomo's threat to withhold state aid if they are not submitted by the established deadline, continue to scramble to develop their plans. The governor has even established a website – NY Students First – that lists districts by county alongside a checkbox that reflects whether or not their plans have been submitted.

New York school leaders are not alone in their concerns about the capacity to transform their school systems at such a pace and with less money than will be required to do so. According to a January 18, 2012 report in *Education Week*, the U.S. Department of Education acknowledged that nearly every recipient state of Race to the Top funding is dealing with implementation gap issues. States such as Delaware and Maryland had to delay using new teacher evaluation systems.

Along with logistical and fiscal concerns, there are various political, pedagogical, and philosophical perspectives and debates regarding the viability of the new reforms, especially with regard to the expansion in the number of student assessments and the accuracy of using test results to evaluate teachers and

Hochman questions Albany, “Is the value-added component of increased testing for the purposes of teacher/principal evaluation worth the cost?” He suggests: “I would argue that doing a quality evaluation with follow-up development adds value to our school districts and improving learning; multi-millions of dollars and time to incorporate a testing component, technological support and time, tests, etc. does not add value.”

WE CAN DO BETTER

New and costly mandates have been imposed on New York State's school districts at a time when resources have

been diminished. A faltering economy led to a state budget deficit, which in turn resulted in a multi-year reduction of aid to schools. Political leaders are reluctant to raise taxes while being pressured to close deficits. Also, in 2012, school districts presented budgets already tightly constricted because of the newly legislated tax “cap.” The state and nation continue to struggle as a long-term recession lingers.

Within this economic context New York's school districts are being challenged to comply with a reform agenda implemented on an accelerated schedule.

New York needs to postpone using student data for teacher evaluation until it has unequivocal evidence from juried research by objective researchers – if any can be found.

principals. Moreover, districts were not given the option to participate in New York State's Race to the Top reforms. There was a mandate for every district in the state, no matter how well its' students succeeded academically or no matter how much funding could be generated to implement the reforms. In spite of the controversy, district leaders are struggling to comply, to find the resources to address the costs associated with these new mandates. Perhaps giving them greater discretion is in order. Here are some ideas:

Conduct a Mid-course Assessment to Determine Progress for Achieving Real Return on this Costly Investment

New York State entered into the Race to the Top sweepstakes with an application that included changes to the state's K-12 education system that lacked both a substantive research base and a detailed financial plan to show how the changes would be funded beyond the grant's seed funds. It is time to stop and assess progress by exploring both the costs that have emerged over the past two years and the progress made in the research community to support the major planks of the reforms.

In May 2011, a report released by a blue-ribbon committee

of the National Academies' National Research Council examined a decade's worth of data on various testing reforms, including linking teacher evaluation to student assessment. The group concluded that these approaches have had little or no effect on student learning, and may actually be counter-productive (Sparks, 2011). At that time, Jack Jennings, the President of the Center on Education Policy, called for a pause in the reforms, "It's a message to all of us to slow down and think this through."

Allow Evaluation Flexibility

The law requires annual and multiple observations. The previous version of the law allowed for needs-based flexibility in the quantity, frequency, and forms of supervisory and evaluation work. Such flexibility should be restored. This will reduce not only the costs in time and burden of procedure and documentation, but avoid the need to add additional supervisors. As of now, districts can only imperfectly project how much supervisory time will be needed to conduct the extent of evaluations that the new law requires. An unmanageable volume is likely to impact the quality of each observation and evaluation generally.

Carefully Consider Technology Infrastructure and Testing Costs Implications

The projected costs of reform do not consider future funding of online assessments and the technology infrastructure that will be needed to accommodate national assessments in 2014, which is only two years from now. For those districts that have had the resources to build out their technology systems and stay current with emerging educational tech tools, the challenge to meet the state's requirements will be less daunting than for districts where there is a much greater digital divide.

In the early days of No Child Left Behind, which jumpstarted the testing industry, it was estimated that testing generated between \$400 and \$700 million dollars in profits annually (Bowker, 2001). Online testing is projected to be a \$24 billion business by 2015 (Fang, 2011). This online testing cost will perhaps have the biggest impact of all state Race to the Top requirements on school districts, both in dollars and influence on the culture of schools. There is still much that is not known about how well online testing accurately measures student learning. Clearly, it appears to be efficient, and can produce data that is easily manipulated for reporting back to school per-

sonnel, parents, and students. Yet, in reality, the cost-benefit has yet to be determined, while the pace to move towards technology-driven testing solutions is rapid.

The testing systems that are currently approved by New York State for purchase by local districts are online. Districts need to have the infrastructure in place to access them. For many districts across the state, there is a lack of cyber-readiness. The requirement for immediate implementation is unrealistic if the work is to be done well.

The New York State Education Department, using regional consortiums, needs to develop a multi-year phase-in plan that factors in state aid contributions to cover the costs of technology, considers the range of vendor costs, and includes the use of a need-based formula that factors in a district's local obligation. Ideally, the federal government, backed by industry, will see the benefits of funding educational technology as part of a national broadband "stimulus" project that has the potential of both preparing students for a world in which 77% of all workers will require technology skills in ten years, and creating jobs during a time when job creation is a priority for both political parties (The Arnold Group, 2011).

Plan for Dealing with Developing and Ineffective Teacher and Principal Ratings
Training will be needed when teachers are rated as Developing or Ineffective. Litigation will ensue when dismissal is sought

for teachers or principals with consecutive ratings of Ineffective. There will be bills for trainers' time, attorney fees, administrative time, and settlements. Anyone in a supervisory role will need to practice observations with the new evaluation instruments to ensure that there is district-wide consistency in what is referred to as inter-rater reliability. In other words, are all supervisors going to consistently report that which they observe during a lesson evaluation? Consistency of reporting enhances the quality of feedback and reduces legal challenges by employees who may question their assessment because of inconsistent or poorly executed observations. Developing such reliability takes practice, time, and money.

When challenged by those opposed to evaluating teachers based on student test scores, state leaders have used the analogy of the accuracy of a baseball player's average over a period of ten years to justify how such data can be used. While the arguments on the use of such testing focus on the design of the assessments for such purposes – non-school factors, the shifting dynamics within a classroom and school that are beyond the control of a teacher, and the concerns over a narrowed instructional focus to ensure that the testing targets are hit – the state's current law calls for remedial and disciplinary actions within a short two-year period.

Concerns about incompetent teachers might have been better

addressed by reaching a settlement on a disciplinary process that, while ensuring due process, lowered the bar for the district seeking to remove such teachers. Another alternative is the establishment of a five- or ten-year renewable tenure, along with assurances for a fair due process.

In sum, there are multiple issues with this new legislation's approach to using student data for teacher and principal evaluation. Student tests are not designed to assess instructional quality. Every district will be either purchasing or creating assessments for 20% of the teacher or principal score, which results in inconsistencies within regions and across the state as districts make these decisions locally; or, for those districts that create their own instruments, the aforementioned issues of test validity and reliability (unless of course, they have in-district psychometricians and have run various testing trials). Lastly, the rating systems for evaluating teachers will vary from district to district and across the state. There will be no consistency and no way to make fair comparisons.

Such organizations as The National Education Policy Center (2011), the National Center for Educational Evaluation and Regional Assistance (2010), the Annenberg Institute for Reform at Brown University (2010), The Center for Education Data & Research (2010) and The National Academies' National Research Council (2011), have all challenged the viability of the use of student assessment data for teacher evaluation.

When teachers begin to receive scores that characterize them as Ineffective and face dismissal as a result, the aforementioned researchers will be lining up to provide testimony to challenge the basis of the assessment. Opinions and theories will have difficulty holding up in a courtroom. All of this will prove to be yet another great expense to districts and states.

New York needs to postpone using student data for teacher evaluation until it has unequivocal evidence from juried research by objective researchers – if any can be found. Until that time, such results should be kept separate from the formal evaluation process to avoid great costs, both fiscal and educational. Perhaps there will be a time when such data can be used to assess teachers. We have not yet arrived there.

CONCLUSION

Teacher and principal evaluation is not a simple task. It cannot be achieved through limited reliance on student tests. The number of technical, pedagogical, interpersonal, and non-teaching related variables that go into learning are extremely difficult, if not impossible, to measure.

Yet, a system is being rushed into place in order for leaders in state houses across the country, including Albany, to claim that they have reformed teacher and principal evaluation, regardless of whether performance is truly measured. We can have something cheap and fast, or we can have quality. We can't have both. Quality is better. Yet New



York and the nation seem to be focused on “fast.” It certainly is and will not be cheap.

While New Yorkers remain in the midst of an economic downturn, and revenues both from state and local sources are constrained, school districts are being asked to make costly and experimental reforms that are being driven by political agendas, naïve (or calculated) leadership, and a failure to recognize that there will be great educational and financial costs to these reforms, but only limited benefits. Notwithstanding some improved coherence and unity around curriculum, practice, and assessment, there is a great risk that these systemic changes will be at the sacrifice of the kinds of creativity and craft that have sparked innovation and student curiosity. We are forgetting why, within defining state (not national) policy and regulation, we choose to deliver elementary

and secondary education locally, under the governance of local elected boards, responsive to local priorities and values.

The Race to the Top grant will expire in two years. In its wake, New Yorkers may see a state curriculum that is aligned with the national Common Core Standards and associated tests, significantly increased testing, ratings of teachers and principals – along with debates, a focus on test preparation and results, and perhaps a limited program for students because of diverted funding to pay for all of this.

Two years hence, too, New Yorkers will almost surely ask how much learning has improved while business leaders will seek reports on the “return on investment.” The answer will likely be that the identified costs for the immediate and long-term future were, and continue to be, both unachievable and non-sustain-

able. Earlier, unheeded cautions from the broader educational community will be recalled, perhaps with some regret.

All this need not happen. New York's leaders still have the opportunity to make a mid-course correction before its school systems are radically and unalterably changed for the worse and at a great financial loss to all taxpayers.

Sources

For a complete list of works cited for this paper please reference the electronic version on the State University of New York at New Paltz CRREO website: www.newpaltz.edu/crreo

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Comment

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Table 3. District Level Data for Estimated 2012-2013 Costs Associated with APPR Mandates for Eighteen Lower Hudson Valley School Districts

DISTRICT	Common Core Training	Common Core Curriculum Revision	Common Core New Materials	3012C Training	Local Assessment 20%	State Scoring 20%	SLO Development Costs	Technology Infrastructure	Related Professional Development	TOTAL COSTS	RTTT FUNDING 2011-12	Balance to be Funded Locally
ROCKLAND												
South Orangetown	\$20,494	\$88,200	\$15,000	\$11,825	\$15,000	\$59,000	\$0	\$40,130	\$106,000	\$355,649	\$5,841	\$349,808
Nyack	\$15,600	\$40,170	\$28,288	\$11,500	\$15,000	\$31,000	\$15,000	\$60,000	\$25,000	\$241,558	\$16,000	\$225,558
Nanuet	\$44,650	\$31,500	\$8,000	\$11,300	\$15,000	\$32,000	\$0	\$0	\$0	\$142,450	\$4,604	\$137,846
Northern Rockland	\$383,842	\$198,934	\$187,640	\$96,276	\$5,396	\$23,820	\$1,216	\$111,184	\$136,991	\$1,145,073	\$59,874	\$1,085,199
Pearl River	\$26,700	\$10,000	\$0	\$11,932	\$0	\$13,200	\$0	\$0	\$39,750	\$101,582	\$2,710	\$98,872
Suffern	\$27,280	\$118,250	\$17,712	\$8,175	\$44,980	\$9,980	\$35,420	\$0	\$79,199	\$340,996	\$19,840	\$321,156
WESTCHESTER												
Ardley	\$9,349	\$6,400	\$714	\$2,716	\$0	\$5,258	\$0	\$10,000	\$458	\$34,895	\$1,837	\$33,058
Byram Hills	\$26,407	\$34,270	\$0	\$1,379	\$8,886	\$0	\$0	\$0	\$8,075	\$79,017	\$6,525	\$72,492
Chappaqua	\$90,000	\$154,000	\$0	\$69,000	\$120,000	\$75,000	\$25,300	\$28,000	\$95,000	\$656,300	\$0	\$656,300
Harrison	\$5,000	\$125,000	\$18,000	\$3,500	\$18,000	\$20,000	\$50,000	\$35,000	\$5,000	\$279,500	\$29,260	\$250,240
Hendrick Hudson	\$21,000	\$45,000	\$12,000	\$4,500	\$12,000	\$35,000	\$7,500	\$25,000	\$75,000	\$237,000	\$5,750	\$231,250
Lakeland	\$1,000	\$44,880	\$60,000	\$21,000	\$0	\$72,000	\$73,960	\$0	\$78,000	\$350,840	\$10,700	\$340,140
New Rochelle	\$6,215	\$43,000	\$10,000	\$19,000	\$39,000	\$79,932	\$0	\$556,665	\$50,000	\$803,812	\$126,229	\$677,583
North Salem	\$6,500	\$45,000	\$3,400	\$8,100	\$6,200	\$18,100	\$0	\$15,400	\$56,800	\$159,500	\$3,434	\$156,066
Rye Neck	\$5,975	\$9,810	\$3,000	\$8,280	\$0	\$10,000	\$4,200	\$0	\$2,000	\$43,265	\$2,654	\$40,611
Valhalla	\$8,000	\$77,760	\$0	\$8,200	\$39,000	\$18,000	\$0	\$368,000	\$58,000	\$576,960	\$2,131	\$574,829
PUTNAM												
Brewster	\$11,000	\$11,000	\$62,500	\$5,200	\$4,111	\$0	\$0	\$30,000	\$172,000	\$295,811	\$85,204	\$210,607
Mahopac	\$60,735	\$56,000	\$6,054	\$6,940	\$30,000	\$59,366	\$0	\$49,000	\$6,875	\$254,970	\$21,790	\$233,180
TOTAL	\$783,236	\$1,264,174	\$450,307	\$322,323	\$400,573	\$591,656	\$262,596	\$1,373,379	\$1,024,148	\$6,472,166	\$520,415	\$5,951,751
Definitions	Workshops for teachers and principals; substitute costs; webinars	Curriculum planning; afterschool; summer; substitute	New instructional materials; new assessment tools, etc.	Principal Training for supervision; BOCES training; Lead Evaluator Training	Cost of new assessments; development costs of new assessments; scoring and security costs	Scoring & security costs	Curriculum planning; afterschool; summer; substitutes	Required hardware to increase bandwidth; Wireless network; desktops; laptops, etc.	Other trainings related to APPR; RTTT; Performance-based assessments	One year totals	The one year sub-grant allocation awarded to the districts	

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