

**Public Hearing
Regents Learning Standards
and High School Graduation Requirements**

**NY State Standing Committee on Education
NYC, October 8, 2003**

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Thank you for agreeing to hear my testimony. My name is Dan Drmacich. I am the Principal of Rochester's School Without Walls, and a steering committee member of the Rochester Coalition for Common Sense in Education and the State-wide Time-out Form-Testing Organization.

First, I believe that one of the most neglected factors of this issue involving Regents Exams and its impact on teaching and learning is the question of goals. All parties I believe would agree that our aim is to help students:

- (1) Become effective citizens
- (2) Obtain satisfying employment
- (3) Get into a good college if they so desire, and
- (4) Develop a healthy self concept.

Let us be clear that these are our goals and that the state developed curriculum and syllabi, standards and exams are a means to get there. They have however, become the ends. As intelligent human beings we know that there could be many other ways to achieve these goals. Student apprenticeships, one-on-one tutoring, alternative curriculum, private schools or home schooling are examples that have produced some of our nation's brightest scholars and leaders, without a state-mandated curriculum. My point is that our Board of Regents and State Education Department are severely limiting the many options we have available to reach these goals through the creation of bureaucratic red-tape that restricts any school district from exploring viable alternatives to a Regents Exam driven curriculum. Essentially, our Commissioner and the Board of Regents have removed the democratic element of choice from our school systems. The message is clear to New York's school districts: "You don't have the intelligence to know what's good for you! We do!" I find this dictatorial attitude to be not only arrogant and opposed to our democratic values, but also ignorant of educational research and the conclusions of many organizational development experts. "One-size-fits-all" is out of touch with how students become motivated to learn and how school can become truly "great" and effective in reaching our goals.

Commissioner Mills would have us believe that students are achieving New York State Learning Standards. Nothing could be further from the truth. When one takes the time to closely examine what the Commissioner is saying, it becomes quite obvious that he is creating illusions and perpetuating the “myths of standards”. Let’s look at a copy of the NYS Learning Standards and let’s also keep in mind an axiom by the organizational guru, the late Eugene Deming, “What gets measured gets done!” In the educational world, Effective Schools Leader and long-time NYSED consultant, Larry Lazotte said it a different way, “We teach what we test and, we also teach how we test!” These are principles of motivational research. Their connection with the Learning Standards is that research by Sipple and Haney, the AFT, and statements by Deputy Commissioner James Kodamus clearly show that Regents Exams test for only about 20% of these Learning Standards. Further research shows that the standards that are tested for in Regents Exams are those that can be classified as “lower level thinking” standards, versus higher level thinking standards. Memorization, formulaic essays and basic inference take precedence over problem solving, synthesis, in-depth research and creative writing. For example, look at the English Learning Standards, the most frequently mentioned skill is public speaking. Where is this skill tested for on the ELA Regents Exam? The Commissioner’s response that teachers will emphasize oral presentation skills and assess students through additional classroom assessments may hold true with some teachers and classes of advanced students, but certainly doesn’t apply to many 11th grade English classes.

Remember the Deming and Lazotte axioms! Indeed, many City School District English teachers have stated that their students may have passed the ELA, but still can’t fill out a job application correctly, nor present themselves effectively in a job interview. This is but one example of how Regents Exams do not measure 80% of our Learning Standards, nor encourage teachers to teach toward these standards. In fact, by ignoring the higher-level thinking standards, NYS teachers are teaching to lower rather than higher standards, regardless of how well students score on the exam. Global History is another example where content standards and minutia have become more important than helping students understand issues and be able to interpret events as historians. I need only cite the “9/11” disaster as an example. On that day and for months following it, students were not only disturbed, but curious about the religious, political, economic and cultural implications of the event. However, despite this natural intrinsic motivation to learn by students, they were told by most teachers and reinforced by administrators, that because of the content that needed to be “covered” in order to get students through the Global History Regents Exam, they could not spend much time on the topic. I’m sure that you can see the irony of this phenomena, especially given the fact that the course was Global History! Clearly, there needs to be flexibility if we are to achieve our goal of effective citizenship. It is also important to examine the statistics involving the graduation rates for 9th graders who eventually graduate from many urban high schools. The disturbing truth is that in many urban high schools, over 70% of 9th graders do not graduate. Certainly many of the causes for this statistic can be attributed to the multitude of problems students bring to school, especially when they live in poverty. Commissioner Mills would have you believe that we are making progress with his agenda in urban areas because we now have

more students graduating with Regents Diplomas that ever before. The truth of the matter is that there could be no other result, since the only diploma that's granted now is a Regents Diploma. The reality is that urban drop-out and GED entrance rates are steadily increasing and predictably will get worse as more students fail to pass all 5 Regents Exams. The next time the Commissioner states that more students are reaching standards, I hope you'll ask him the following questions:

1. Which standards do you mean?
2. What students are you talking about?
3. What do you mean by a standard?
4. Does this mean that students can they apply their learning to the real world?

One of the obvious questions you might be contemplating is, "Are there effective alternatives to Regents Exams?" At the recent New York City Senate Education Committee Hearing, Commissioner Mills testified that the SED allowed some portfolio-driven schools to operate, but determined that they did not meet NYS Standards, I am hoping you will consider the following questions and facts, regarding his testimony:

- Given the fact that the 28 schools he referred to (The NY Performance Assessment Consortium), have over 90% of their graduating, students go on to college, have low drop-out and suspension rates, and high attendance rates, is the Commissioner more concerned with conformity and "window-dressing" rather than the goals of what education should be striving to achieve? (College entrance, job satisfaction, effective citizenship).
- Although these Consortium Schools showed little evidence that they teach the content needed for students to pass Regents Exams, student portfolios, projects and exhibitions demonstrate that these assessment systems indeed, focus on many of the 80% of the NYS Learning Standards that Regents Exams do no measure. So whose assessment system is really lacking in meeting NYS Learning Standards?
- The team of experts that Commissioner Mills hired to assess the Performance Assessment Consortium Schools, actually recommended to him that the schools in question be permitted to continue their work and that the SED work collaboratively with the schools to develop an agreed upon assessment system. The committee made this recommendation based upon the extra-ordinary learning that is occurring in these schools. However, the Commissioner rejected this recommendation and failed to mention this side of the story to you, just as he has failed to mention other data that contradicts the success of his standardized reform agenda.

Later, today you will most likely hear from some Rochester business leaders who will support the Commissioner's efforts and results. It's ironic that the very skills that business leaders say they need in employees are not being tested for with Regents Exams. This outline by Napier, shows what corporations desire. Which of them are tested for with Regents Exams? Remember "We teach what we test!" (Please keep in mind, Senators, that these are non-educators, unfamiliar with educational research and practice, who will be supporting the Commissioner's agenda.)

You will also, undoubtedly hear from the Commissioner and his assistants that they do allow for diversity with assessments and have already approved many requests. What you may not know is that the State Education Department has created a set of criteria for approval of alternative assessments that makes it extremely difficult for approval of any thing but high-stakes, standardized exams. Indeed, those that have been approved all fit that category. None are portfolios, projects or oral dissertations! Isn't it ironic that oral dissertations, the assessment method used to determine competence, by most graduate schools and universities, of doctoral candidates, has been ruled unacceptable by the Commissioner?

What I strongly suspect as the real reason the Commissioner has rejected alternative curriculum and assessments of this nature, even though he recognizes the success of the schools involved is that he is afraid that other groups and schools will follow suit and request similar variances. Special Education, vocational education and English as Second Language Students may quickly follow. Rather than interpreting this as a "slap in the face" to his personal and political agenda, the Commissioner could see this phenomena as a creative opportunity to help these groups create "high-standards" alternatives that may be different, but produce "as-good-as", or better results than the Regents-driven reform model. Diversity, innovation, and sharing of successes would be far more productive values for the SED to encourage.

Senators, I know that history of the Board of Regents and State Education Department autonomy from the Legislature is a paramount concern for many legislators. However, we are involved in subtle, yet extra-ordinary crisis that a growing number of citizens are becoming increasingly aware of, as our young people are increasingly losing the educational opportunities they desperately deserve. This crisis, which many critics are beginning to label a scandal, deserves extra-ordinary action by our legislature. In taking action the legislature has the support of many citizens, and educators. Are you aware that almost every major educational research organization and testing company has issued proclamations against the use of high-stakes, standardized testing, such as Regents Exams, to promote, graduate or fail any individual student. These organizations include:

-The International Reading Association

-The National Education Association

- The American Federation of Teachers
- The Association for Educational Research
- The New York State School Board Association
- The New York State Parent Teacher Association
- The National Council for Teachers of English
- National Mathematics Teachers Association
- National Council for Social Studies
- Standards for Educational and Psychological measurement
- U.S. Department of the Education Office for Civil Rights
- American Psychological Association
- Even Educational Testing Service and many test development companies state similar proclamations and warnings.

You are also probably aware that the recent Gallop/Phi Delta Kappa Poll indicated that 74% of our nation does not believe that one test can accurately measure the competency of any individual student.

Clearly the tide has turned. The legislature must intervene because the Board of Regents and Commissioner have demonstrated complete inflexibility.

Metaphorically, the Commissioner's and Regent's agenda can be seen as a runaway train on the wrong track, with an engineer at the controls who's ignoring many of the passengers, and those on the side of the track hollering for him to slow down, stop the train, assess the damage that's been done, and go in a different direction or to use another metaphor, get off the train and allow passengers to take a means of transportation that they desire to travel on.

Senators, what is wrong with giving parents and their children a choice of studying for a traditional Regents Exam-driven diploma or a high-standards alternative Regents Diploma based upon alternative curriculum and assessments that are approved by a school district's superintendent, local board of education and perhaps a local community-based review board comprised of higher education and business professionals? Why aren't local school districts given the responsibility to act as professionals, who can exercise this judgment? What we currently have is a system analogous to Superintendents-as-factory managers, forced to drive their principals as foremen to create high test scores, rather than student development and growth based on individual needs, interests and learning styles.

It is indeed ironic that the Commissioner is enforcing a rigid, “one-size-fits- all”, assembly-line system of learning to meet the demands of business leaders crying for better-qualified workers when we know that our best corporations, societies and democratic governments occur when diversity and innovation are encouraged rather than suppressed. Research tells us, (as I’m sure you’ll hear more about today from Professor Richard Ryan), that students often need to be intrinsically motivated if they are going to stay in school. We also know that students have different interests, goals, and learning styles. Some students would feel more motivated to stay in school and graduate if their entire curriculum was integrated with their career interest; carpentry, the Arts, health and physical education are examples. Why can’t school districts be given permission to develop high-standards, locally-developed curriculum, and performance-based assessments. If given the flexibility to do so, I believe more students would stay in school, learn and develop, and graduate.

In conclusion, I urge you to enact legislation for:

1. A moratorium on all Regents Exams, until a comprehensive study of their impact on teaching and learning can be conducted, and a new assessment system to help students develop and grow can be created and implemented.
2. Enabling every Superintendent and School Board to have the right to develop and implement alternative high-standards curricula and assessments that will lead to high-standards, alternative Regents Diplomas.

I would now like to turn the floor over to one of my teachers at School Without Walls and 5 of our students who will describe a creative alternative to Regents-driven schools, and that has experienced great success over the past 33 years.