

*A cautionary tale: Governor Cuomo and the effort to destroy public education in New York*  
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As a long-time activist in educational policy, I have observed in New York the continual ratcheting up of high-stakes testing requirements, beginning in the 1990s with the graduation requirement of passing five standardized tests, then, under No Child Left Behind, requiring standardized tests in math and reading in grades three through eight as a means of assessing students, schools and school districts, and finally, with the institution of the Common Core State Standards, requiring standardized tests in every subject to not only assess students, but to determine teacher effectiveness and potentially removing teachers whose students do poorly on the tests (see Hursh, 2007, 2008, 2013) Furthermore, teachers are increasingly blamed not only for the failings of our educational system but also for the increasingly economic inequalities in society and the decline of the middle class, a tactic that Michael Apple describes as "exporting the blame" (Apple, 1996).

However, the increasing use of standardized tests to hold accountable and punish students and teachers tell only part of the story. Standardized testing is increasingly used as part of the rationale for privatizing education by increasing the number of privately administered but publicly funded charter schools. Consequently, public education and teachers face the greatest threat yet, one that may mean the demise of public education in New York's cities and teaching as a profession.

As I write this Governor Cuomo, a Democrat but not a progressive, is chairing a three-day event on educational reform called "Camp Philo" at Whiteface Lodge in the Adirondack Mountains. Many of the invitees are sponsored by a group called *Education Reform Now*, a non-profit advocacy group that lobbies state and federal public officials to support charter schools (publically funded but privately operated elementary and secondary schools), evaluating teachers based on student test scores, and eliminating tenure for teachers. Many of the remaining invitees are hedge fund managers, who see charter schools as investment opportunities. Admission to the retreat costs \$1,000 per person, an amount teachers can little afford. But, no matter, when some teachers attempted to register, they were told "no thank you."

Cuomo's support for charter schools was made blatantly clear a few months ago when he led a rally at the state capitol promoting charter schools. At the rally he stated that, "education is not about the districts and not about the pensions and not about the unions

and not about the lobbyists and not about the PR firms – education is about the students, and the students come first.” He then continued to misrepresent the evidence regarding the effectiveness of charter schools, ignoring the fact that charter schools cream off the more capable students, often denying admission to students who are English Language Learners or students with disabilities. He also seemed to forget that charter schools have more funding per student because they do not have to pay for the space they use in public school buildings, pay lower salaries to their teachers who are typically young and work under year-to-year contracts, and receive extra funding from corporations and philanthropic foundations who support privatizing schooling. He also forgot to mention that he has received \$400,000 for his upcoming re-election campaign from one charter school operator and another \$400,000 this year from bankers, hedge fund managers, real estate executives, philanthropists and advocacy groups who have flocked to charter schools and other privatization efforts.

Cuomo often describes New York’s schools and teachers as failing. While as I have consistently argued throughout my career that public schools could do better, especially if teachers were supported in developing culturally appropriate and challenging curriculum, to place all the blame on teachers ignores four major issues. First, test scores are manipulated to yield whatever result current and past commissioners of education desire. As I have detailed elsewhere, results on the standardized tests are entirely unreliable because commissioners have raised and lowered the cut score on tests to portray students as failing or improving, depending on what suited their political interests (Hursh, 2007, 2008, 2013). For example, on the newly instituted Common Core exams, the cut score was set so high as to result in failing 69% of students state-wide and 95% of students in the city of Rochester. Such low passing rates have been used to denigrate public schools and teachers, and as evidence for why education needs to be privatized. Further, because the current commissioner, John King, wants to take credit for improving student learning in the state, he has already guaranteed that the scores on this year’s tests will improve, which he can ensure simply by lowering the cut score.

Second, Cuomo and other corporate reformers ignore that data show that New York’s public schools are highly racially and economically segregated; indeed, we have separate and unequal schools. A new study (Kucsera, 2014) by The Civil Rights Project at UCLA confirms what many of us always suspected: New York State has the most segregated schools in the United States. Sixty years after *Brown versus Board of Education* supposedly ended segregation, New York’s schools are more segregated than in the past. In “2009,” writes Kucsera, “black and Latino students in the state had the highest concentration in intensely-segregated public schools (less than 10% white enrollment), the lowest exposure to white students, and the most uneven distribution with white students across schools” (p. 1).

Third, Rochester has the fifth highest poverty rate of *all* the cities in the United States and the second highest of mid-sized cities. Ninety percent of the students in the Rochester City

School District come from families who live in economic poverty. Yet Cuomo, who regularly makes public announcements on many issues, from urging us to shop locally for Easter presents and how to avoid ticks while hiking, has remained silent on the issue of segregation (Bryant, 2014, April 26).

Fourth, even though charter schools on average do not perform better than the publicly administered schools (a fact Cuomo distorts), charter schools have several advantages that should lead to better results. As mentioned earlier, charter schools are not required to admit students who are English Language Learners or who have learning disabilities. Since charter schools have the advantage of accepting only the more capable learners, leaving the others behind in the public schools, and, in many cases have space provided free by the public schools, and receive additional financial support from the Walton Family and other foundations (Rich, 2014), charter schools should have much better results than they do.

Given the weakness of the corporate reformers' arguments, how do we explain their ability to move their agenda forward? From what I have said above, I want to expand on two things. First, the corporate reformers aim to control the discourse of public education, portraying themselves and their reform agenda as the only one that aims to improve education for all students, particularly for children living in our urban areas. While Cuomo ignores the more intractable issues of school segregation and child poverty, he claims that he is supporting charter schools because "children come first."

In the past he has used observances marking Dr. Martin Luther King, Jr.'s birthday to assail teachers as the primary cause for the failures of New York's educational system and assert that high-stakes standardized testing responds to King's vision. To be specific, Cuomo claims that, "we have to realize that our schools are not an employment program. . . . It is this simple: It is not about the adults; it is about the children" (Kaplan & Taylor 2012, A-17). Oddly enough, given his silence on New York's status as the state with the most segregated schools, at the same event he cited the 1954 *Brown v. Board of Education* ruling, lamenting that because of failing public schools, "the great equalizer that was supposed to be the public education system can now be the great discriminator." Perhaps he has forgotten that the Supreme Court case declared that children cannot overcome the harm caused by segregated schools. Instead, he portrays teachers' unions as special interests and unionized teachers only caring about their pensions and contracts, while only he and others like him are for the children.

Similarly, he states that "education is not about the lobbyists," portraying himself as above special interests and defying the efforts of lobbyists. Perhaps for Cuomo, because Camp Philo brings together the corporate and political elite who are unified in holding teachers and students accountable through standardized tests, ending tenure, decreasing the power of unions, and privatizing education, and because most importantly they are not educators, he imagines them as not the lobbyists they are but merely advocates for equality.

Which leads to the second explanation for the corporate reform success: they have money and lots of it, which not only provides supporters of charter schools and other forms of

privatization access to politicians, such as in the Camp Philo retreat (no teachers wanted!), but also supports projects that help them achieve their goals. The Walton Family Foundation, who support charter schools and voucher programs that use public funds to send children to private schools, and despise unions, has given, since 2000, approximately \$1 billion to charter schools and charter school advocates (Rich, 2014, April 25). Likewise, the Bill and Melinda Gates Foundation has poured billions into privatization efforts and reforms including the Common Core State Standards and exams. On the Common Core alone, “research by Jack Hassard, Professor Emeritus at Georgia State, shows compelling evidence that Gates” has provided \$2.3 billion in support of the Common Core, with “more than 1800 grants to organizations running from teachers unions to state departments of education to political groups like the National Governor’s Association [that] have pushed the Common Core into 45 states, with little transparency and next to no public review” (Schneider, 2014, March 17, p. 1).

Money buys influence. In March Bill Gates and David Brooks (2014), New York Times editorialist and outspoken supporter of the Common Core, had dinner with 80 U.S. Senators. Similarly, the Walton Family Foundation not only provides funds, according to their own website, to one out of every four charter schools in the United States but also funds advocacy groups like Students First, led by Michelle A. Rhee, the former Washington D.C. schools chancellor who oversaw many of the policy changes funded by Walton. As Rich (2014) notes in his article on the Walton Family Foundation, “Students First pushes for the extension of many of those same policies in states across the country, contributing to the campaigns of lawmakers who support the group’s agenda” (p. A-1). The influence of wealthy families such as Bill and Melinda Gates and the Walton family confirm the recent findings of a study by Martin Gilens (2013) on *Affluence and Influence: Economic Inequality and Political Power in America* that reveals how policy makers enact the preferences of the rich.

All of the above suggests that the corporate reformers have used their wealth and power to dominate the education reform agenda and promote the privatization of public education, increased standardized testing, and the demise of teaching as a profession. Consequently, what hope is there for resisting and reversing the corporate agenda?

In New York and across the country there is increasing resistance to the corporate reform movement as teachers, parents, students, and community members have formed alliances to combat corporate reforms. Last August, I was one of twelve educators and community members to create the *New York State Allies for Public Education*, which has a website (<http://www.nysape.org>) and offers critical analysis of the corporate reform movement in New York. The number of organizations making up the allies now numbers 50.

Furthermore, critics of corporate reform have influenced the dominant discourse, in particular making economic and racial inequality part of the agenda. For example, critics are using the research revealing the failure to integrate schools sixty years after *Brown V. Board of Education*

to make racial inequality an issue. They are also using the fortieth anniversary of President Johnson's War on Poverty to ask why there is more economic inequality now than at any time since the Great Depression. And they are using the increasing efforts by Pearson to other corporations to turn schools into centers of profit to question the purpose of schooling. Recent hearings held by Commissioner King regarding the implementation of the Common Core curriculum and exams have conceptualized and implemented have been completely dominated by critics. Critics have called for the resignation of the current commissioner. Lastly the New York State United Teachers organized four hundred teachers to "picket in the pines" at Camp Philos in upstate New York to protest that Cuomo's education retreat is excluding teachers. The New York State Regents, who make education policy, and the New York State legislature have both acted to implement moratoriums on state initiatives to increase testing of students and teachers. Teachers, parents, and community members are becoming increasing knowledgeable, outspoken and allied regarding the corporate reform movement. The battle is on.

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Note: For nine weeks from mid January to mid March I visited with teachers, union officials, and university faculty in Australia and New Zealand to learn more about the education reform initiatives in both countries. I also gave numerous presentations on the corporate led education reform movement in the United States and, in particular, my home state of New York (see the youtube video of my keynote talk to New Zealand primary school teachers and administrators at <http://www.youtube.com/watch?v=hW4vZGsLiL4>).

#### References

- Apple, M. (1996). *Cultural politics and education*. New York: Teachers College Press.
- Dobbin, S. 12-13, December 10). New study: Rochester is fifth poorest city in country. *Democrat and Chronicle*.  
<http://www.democratandchronicle.com/story/news/local/2013/12/10/new-study-rochester-is-fifth-poorest-city-in-country/3950517>
- Brooks, D. (2014, April 18). When the circus descends. *New York Times*. A-23.
- Bryant, E. (2014, April 26). Governor silent on school segregation. *Democrat and Chronicle*.  
<http://www.democratandchronicle.com/story/news/local/columnists/bryant/2014/04/26/bryant-governor-silent-school-segregation/8176951/>
- \_\_\_\_\_. Gilens, M. (2013) *Affluence and influence: Economic inequality and political power in America*. Princeton, N.J.: Princeton University Press.
- Hursh, D. (2007). "Assessing the impact of No Child Left Behind and other neoliberal reforms in education," *American Educational Research Journal*, 44(3), 493-518.
- Hursh, D. (2013). Raising the stakes: High-stakes testing and the attack on public education in New York. *Journal of Education Policy*, 28(5). 574-588.  
DOI:10.1080/02680939.2012.758829
- Hursh, D. (2008). *High-Stakes Testing and the Decline of Teaching and Learning: The Real Crisis in Education*. Lanham, MD: Rowman and Littlefield.

Kaplan, T. and Taylor, K. (2012, January 17). Invoking King, Cuomo and Bloomberg stoke fight on teacher review impasse. *The New York Times*: A-17.

Rich, M. (2014, April 25). A Walmart Fortune, Spreading Charter Schools. *New York Times*. A-1. Accessed at <http://www.nytimes.com/2014/04/26/us/a-walmart-fortune-spreading-charterschools.html?action=click&module=Search&region=searchResults&mabReward=relbias%3As&url=http%3A%2F%2Fquery.nytimes.com%2Fsearch%2Fsitesearch%2F%3Faction%3Dclick%26region%3DMasthead%26pgtype%3DHomepage%26module%3DSearchSubmit%26contentCollection%3DHomepage%26t%3Dqry926%23%2FWALMART%2520charter%2520schools>

Schneider, M. (2014, March 17). Gates Dined on March 13, 2014, with 80 Senators <http://deutsch29.wordpress.com/2014/03/17/gates-dined-on-march-13-2014-with-80-senators/>