



REPEALING THE COMMON CORE STATE STANDARDS IN NEW YORK

A Proposal

PREPARED FOR

Carl L. Marcellino
New York State Senator from District 5
Chair of the New York State Senate Education Committee

PRESENTED BY

Charles Hasenauer – New Way Learning – 000 Lake Avenue, Rochester, NY 14608 – 555-867-5309

Contents

Present System	2
An Analogy: The Common Core as Mosaic Law	2
Law Keeping: Problems with the Present System	4
Solution: Out of the Wilderness.....	7
Fishers of Men: A Public Marketing Campaign	9
Loaves and Fish: Resources Needed	9
Numbering Our Days: A Timetable	10
Money Changing: The Costs.....	10
Qualifications	11
Conclusion of the Matter	11

New Way Learning

An Education Foundation

I respectfully request your sponsorship of legislation to repeal the Common Core State Standards (CCSS) and related regulations in New York State (NYS). Repeal of the standards can save state expenditures on routine maintenance and materials related to the CCSS and improve education for students enrolled in NYS public schools. As a NYS senator and member of the NYS Senate Education Committee, your sponsorship of our efforts will give this bill the added stature it needs to pass through the state legislature in its original or modified form.

Present System

The NYS Board of Regents adopted the CCSS for Mathematics and for Literature & Literacy in History/Social Studies, Science, and Technical Subjects in July 2010, allowing for NYS-specific additions to be incorporated the following year. Originally, the state contracted Pearson Education to provide CCSS-aligned tests, but public controversy over perceived test-maker errors caused the state to end the contract. In July 2015, the New York State Education Department (NYSED) announced a five-year, \$44-million contract with Questar Assessment, Inc. to provide CCSS-aligned tests.

NYSED provides curricular modules and units organized around central concepts as guides for teachers to follow. Districts, schools, and teachers can choose to use these modules in full, in part, or not at all.

In 2015, following a recommendation from Governor Andrew Cuomo, the Board of Regents voted for a four-year moratorium on the use of state test scores as a component in teacher evaluations. For the time being, student performance on CCSS-aligned tests cannot be used to grade or remove teachers.

An Analogy: The Common Core as Mosaic Law

***Note: This analogy is intended to consider the Bible as a literary work, NOT a religious text. The purpose is not to promote any religious beliefs, but to utilize metaphors for the sake of illustrating concepts.**

The fundamental flaws of the CCSS are best exposed by viewing the standards through the lens of a Biblical theme: Jesus' (New Covenant) reconstitution of the (Old Covenant) Law set down by Moses. The Mosaic Law was an abstract code: a list of rules that everyone had to follow in order to live morally. The rules seem generally sensible enough: "thou shalt not kill"ⁱ and "thou shalt not steal"ⁱⁱ and not working on the Sabbath dayⁱⁱⁱ have a certain wisdom to them. The trouble was that strict adherence to this code stopped people from thinking and acting creatively, making hypocrites or moralists out of them. Situations *do* exist in which it might be prudent to kill or steal, and – rather obviously – no one should be arrested simply for working on Sundays. Eventually, Jesus arrives to fix the snares created by such laws. He breaks commandments himself when he feels they hinder good living. He urges his followers not to blindly obey static, rigid rules to the hilt and, instead, weigh the spirit in which all laws are fashioned.

The CCSS are similar to the Mosaic Law: both spawn a medley of well-intentioned dictates that inevitably fall short due to emphasis on the letter of the law over the living spirit. Of the CCSS for Literature, curriculum expert Robert D. Shepherd writes,

The Common Core State Standards in ELA is just another set of blithering, poorly thought out abstractions. And starting from there, instead of starting with [a piece of literature] and its content, is a mistake. [...] You can't skip the experience and go directly to the meaning, and that's what students are encouraged to do if their lessons concentrate on abstract, formal notions from some list of standards rather than upon reading as experiencing.^{iv}

Math teacher Barry Garelick both complicates and affirms Shepherd's claim with a look at the CCSS for Mathematics:

It's an odd pedagogical agenda, based on a belief that conceptual understanding must come before practical skills can be mastered. [...] The guidelines seem reasonable enough. But on closer inspection, these things are essentially habits of mind that ought to develop naturally as a student learns to do actual math.^v

The two seem to agree that the standards attempt to sidestep the "journey" yet still arrive at the "destination." From there, they diverge: Shepherd heaps scorn upon the standards, while Garelick finds something redemptive and "reasonable"

in them. Both hold a piece of the truth. The CCSS are passable when construed as guidelines: a handbook of dance steps that instructs fledgling performers. But, as C. S. Lewis notes, “As long as you notice, and have to count the steps, you are not yet dancing but only learning to dance.”^{vi} Having unleashed a wave of aligned standardized tests and instructional materials, the CCSS are the steps that insist on being counted. A good guide would make itself steadily less necessary, but the CCSS impose themselves as the sole arbiter of educational quality.

The CCSS may have helpful hints for novice teachers, but those hints are arbitrary, severed from concrete experience, and not, by any means, exhaustive. A master teacher can envision and deliver a textured experience without them. Though the metacognitive abstraction that grows out of that experience may hit upon some of the CCSS – and maybe other, unstated standards – it will be entirely incidental. Meaning emanates from, and relates back to, the experience studied rather than codified abstractions.

A master literature teacher might begin with the question, “What might my students gain by reading *The Sun Also Rises*?” rather than “Can my student make logical inferences based on textual evidence?”

A master math teacher might ask, “Can my students add up these budget items accurately?” rather than “Can my students use words to explain, and pictures to show, how they understand the theory behind adding multi-digit numbers?”

Too often, the CCSS leaves education spinning its wheels in the mud of formalistic abstraction without offering students true points of traction. NYS Education, long mired in legalistic minutia, needs a New Covenant – a New Deal – for students and teachers alike.

Law Keeping: Problems with the Present System

*“But before faith came, we were kept under the law,
shut up unto the faith which afterwards be revealed.”
– Galatians 3:23*

The present system has two types of flaws: structural and operational. Structural flaws are the more important, as their proposed solution (repealing CCSS) renders operational flaws inactive.

Structural flaws include:

- ➔ **Emphasizing Form over Content:** As stated earlier, the CCSS favor abstract process models disassociated from content knowledge and removed from all roots in context. When Classroom A might be studying *Moby Dick* while Classroom B is reading *The Great Gatsby*, and Classroom C is exploring the logistics of building a perimeter fence while Classroom D considers those of filling a cylindrical pool, the CCSS need learning goals to be abstract enough not to limit themselves to particular subject matter. They have to sanction and standardize particular approaches to a task (while ignoring equally valid alternative methods) to make it easy for graders unfamiliar with specific classroom dynamics and the content covered to recognize standard forms of response as if from a checklist.¹ This leads to...
- ➔ **A Data-Driven Approach:** Emphasizing form over content makes education and testing more quantitative and amenable to performance comparisons and rankings. According to Shepherd, this is the result of

[...] the desire by social scientists and politicians and a few wealthy plutocrats to do social engineering based upon abstract principles—you get what you measure, for example. [...] Ideologues love political, social, and economic abstractions. They love to think that there are simple answers to every problem and that these can be encapsulated in generalizations.^{vii}

But you cannot fully quantify learning: doing so takes an atomistic view of the world. Every discipline blends mathematical precision and revelatory inspiration. Ernest Hemingway used weather patterns to illustrate this and teach his readers to see so-called “left-brained” reasoning as dependent on waters from the fount of the creative “right brain”:

We see plainly in the laws of nature that rain comes down from the heavens in the time of need. The greenness and verdure of the earth depend on heavenly rain. If it ceases for a time the water in the upper strata of the earth gradually dries up. Thus we see that there is an attraction between the heavenly and earthly waters. Revelation stands in the same relation to human reason as heavenly water does to the

¹ The grader might think, “This student wrote about Plato’s *Republic* for his essay. I’ve never read *The Republic*, but I can see he’s used a thesis statement, textual evidence, strong topic sentences – check, check, and check!” Over time, the student himself may master the forms of response so well that he can mask, by pure style, his own lack of content mastery.

earthly water. [...] As with the cessation of heavenly water earthly water begins gradually to dry up; so also is the case of the human reason which without the heavenly revelation loses its purity and strength.^{viii}

The data-driven approach of the CCSS severs human reason from creative revelation. It focuses solely on measurable facets of content and ignores aesthetic aspects, if not inventing spurious methods for measuring them. This breeds...

→ **A Culture of Micromanagement:** When we drive out nebulous instinct in favor of hard data, formerly limber systems become rigid and operate in an increasingly controlled manner. Math teachers must use pedagogy that prioritizes evidence of conceptual understanding over mastery of practical skills, whether they endorse that approach or not. English language arts teachers must split their time between 50 percent “literary” texts and 50 percent “informational” texts – again, an ideology of form over content – with no accounting for the fact that many texts, like *Moby Dick* and *The Narrative of the Life of Frederick Douglass*, blend informational content with literary content or style. Some schools mandate use of the Common Core modules provided by NYSED, effectively stripping teachers of the power to determine curricular content.

Operational flaws include:

→ **The Opt-Out Movement:** NYSED’s data show 21 percent of NYS students in grades 3 – 8 opted out of taking Common-Core-aligned tests in 2016 (up from 20 percent in 2015).^{ix} Per this data, the validity of any conclusions drawn from scores on these tests is voided by the fact that approximately one-fifth of public school students are not taking the tests.

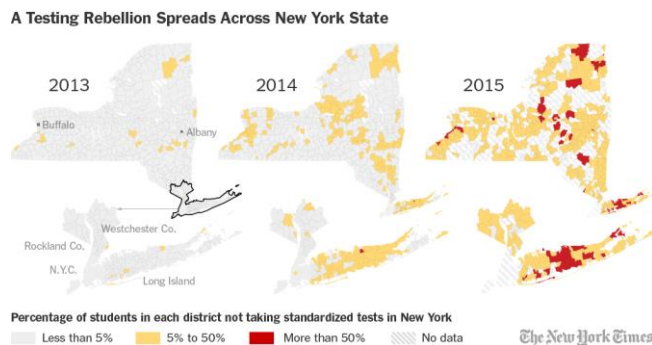


Fig. 1. Rise in students opting out of standardized state tests. (Graph by *The New York Times*. In “‘Opt Out’ Becomes Anti-Test Rallying Cry in New York State,” Elizabeth Harris and Ford Fessenden, *The New York Times*, May 20, 2015.)

➔ **Recruitment Troubles:** According to the State University of New York (SUNY) system, enrollment in their teaching programs has plummeted over the past five years. From 2011 to 2015, there was a 40 percent decline from 17,500 students enrolled to a mere 10,460.^x The timing of this decline correlates with the timeline of the state’s adoption and implementation of the CCSS. The state will need an estimated 1.6 million new teachers over the next decade to replace retiring ones, and current recruitment levels will not meet that need.

Solution: Out of the Wilderness

*“But after that faith is come, we are no longer under a schoolmaster.”
– Galatians 3:25*

I propose to solve this problem by repealing the CCSS, pursuing contract non-renewal or revocation with Questar Assessment, and decentralizing education by transferring state power back to individual localities. This approach radiates a Jacksonian ethos: the idea that empowering ordinary citizens to form and keep community institutions strengthens republican democracy more than sanctioning distant, centralized, bureaucratized institutions. French political scientist Alexis de Tocqueville was sympathetic to this point of view:

It cannot be doubted that, in the United States, the instruction of the people powerfully contributes to the support of a democratic republic; and such must always be the case, I believe, where instruction which awakens the understanding is not separated from moral education which amends the heart. But I by no means exaggerate this benefit, and I am still further from thinking, as so many people do think in Europe, that men can be instantaneously made citizens by teaching them to read and write. True information is mainly derived from experience; and if the Americans had not been gradually accustomed to govern themselves, their book-learning would not assist them much at the present day.^{xi}

Tocqueville believed practical experience with subjects must complement formal academics, which play a smaller role in success than generally thought. Individual districts and schools, together with local governments, can better respond to the challenge of infusing education with provincial praxis than NYS can.

To mitigate declining enrollment in teaching programs, I propose removing rigid certification requirements, including all degrees, standardized tests [e.g., edTPA, Content Specialty Test (CST), Educating All Students (EAS) test], and additional

training [e.g., Harassment and Bullying Prevention Certification Training (DASA)] currently mandated. Requirements for professional certification should be limited to one year served as a student teacher under a School-Based Teacher Educator (SBTE) and completion of fingerprinting and background checks.² A streamlined process might entice candidates who harbor an interest in teaching but consider the current process too lengthy and arduous. It also recognizes that certification tests suffer from the same flaws as CCSS-aligned tests and do not necessarily add to – or evince – a candidate’s fitness to teach. Nor do the CSTs represent the sprawl of subjects – geometry, shipbuilding, American literature, carpentry, archeology, Chinese – and varied approaches to those subjects a public school *might* offer if freed from two-dimensional thinking and possessed of imagination, enthusiasm, and a willingness to search out resources.

Moving forward, I propose that the state government and NYSED cease legislating and enforcing standards and testing for student, teacher, or school evaluation. If NYS repeals CCSS only to replace them with the state’s own set of standards – as Indiana, Oklahoma, and South Carolina have done – the same issues will surface again and costs saved from the repeal of CCSS will be spent to install and maintain a new system of standards. It is not these *particular* standards that are an issue, but the underlying philosophy of the standards movement itself.

The Pioneer Institute calculates that districts in NYS have spent \$157.2 million on CCSS-aligned textbooks.^{xii} Districts may want to replace the textbooks with non-CCSS-aligned books of their choosing if the CCSS are repealed. Because the switch to the current books resulted from the state’s adoption of the CCSS, I propose this bill outlay \$80 million in state funds for districts that want to replace their books.

² Such a drastic change may seem radical, but it has past precedent and current life. In the days of de Tocqueville and Andrew Jackson, prior to the advent of teachers’ colleges, local school districts held the power to certify teachers. State oversight of that process, and of education generally, consisted of annual reports sent by a district or township committee to the state capital. Today, the rise of alternative certification paths – by which candidates earn initial certification if they teach in a volunteer program and agree to complete education courses and testing within an allotted timeframe – is a throwback to Jacksonian America [David Roth and Watson Scott Swail, “Certification and Teacher Preparation in the United States,” *Pacific Resources for Education and Learning* (November 2000), 2]. It implicitly concedes that someone can teach well without taking official courses in “education” or in a content area, having acquired the needed skills and expertise informally. By this, a trend away from bureaucracy is clearly well underway; our proposal will only expedite that process.

Fishers of Men: A Public Marketing Campaign

Writing legislation is only the first step: the Republican-controlled state legislature must pass it and a Democratic governor must sign it. The public will need to voice strong approval for the bill to convince state officeholders to sign on.

Politically speaking, there is no hardened party-line divide over the CCSS: both parties have constituencies that support the CCSS and constituencies that support repeal. Rather than trying to change the partisan makeup of the governor's office or the state legislature, a good public marketing campaign just needs to generate enough energy from the parties' bases to convince state officeholders to sign on.

I have surveyed Rochester-area citizens who support repeal of the CCSS to learn their top priorities in doing so. This convenience-sample questionnaire asked participants (n=44) to identify their political orientation and rank as many or as few options as they liked from a list of pre-selected reasons. This yielded the following results: a plurality (36 percent) of self-identified solid or leaning Republicans cited "cutting state regulations and tax burdens," as their first choice, and a plurality (45 percent) of Democrats cited "empowering public school teachers" as their first choice.

It follows that a public marketing campaign must highlight both of these qualities (cutting regulation and empowering teachers) to generate bipartisan excitement and put pressure on state officeholders to pass and enact legislation. New Way Learning has the public relations background to prepare a set of organic talking points for your office – and sympathetic allies – to use for public interviews and events. We will focus test all talking points and slogans prior to finalizing them, using the data we collect to inform (but not drive) our creative process.

Loaves and Fish: Resources Needed

To write this legislation, I will need the cooperation of several people. New Way Learning retains its own attorney who can handle the initial drafting of this bill. I will need your office to contact the Legislative Bill Drafting Commission (518-455-7500) and request a lawyer to review and finalize our work. I also want to consult with your staff to get your office's recommendations for, and input on, this bill.

Numbering Our Days: A Timetable

I am confident we can prepare legislation and talking points within three months, per the following schedule:

Task	Hours
Draft Legislation – Our Attorney	160
Draft Talking Points – Our Staffers	24
Focus-Group Test Talking Points	8
Review and Finalize Bill – LBDC	16

The 160 hours estimate for drafting legislation assumes two 8-hour days per week for a total of 10 weeks. The hours for the other tasks will be spread over the same span on both a scheduled and as-needed basis. Finalizing will take place over the final week and will involve both our attorney and the LBDC’s.

Money Changing: The Costs

New Way Learning has secured funding from outside groups (public and private) to cover the costs of drafting legislation.

In regard to implementing that legislation, High Achievement New York (HANY), a pro-CCSS group, warns that NYS could stand to lose \$280 million in federal Race to the Top (RTTT) funds if it reneges on the CCSS without replacing them with new state standards.^{xiii} Should this occur, it would be a one-time cost.

By combining the outlay for new textbooks (\$80 million) with the potential loss of RTTT funds, I calculate the state costs of implementing this bill at **\$360 million**.

However, this comes with the provision that, by ceasing to implement any set of standards or a new regime of standardized tests (i.e., ending both the \$44-million contract with Questar and the possibility of future contracts), NYS will recover these costs in the long term. NYS will likely also save money on CCSS technological upkeep. Even though districts will continue to update their computer systems on an as-needed basis, they will not be at the mercy of Questar’s timetable for doing so, as they will no longer need to accommodate Questar’s periodic updates to its online assessment system (Nextera™) to facilitate state tests. The Pioneer Institute estimates that NYS spends \$177.2 million per year for ongoing maintenance and

technological upkeep related to the CCSS.^{xiv} Saving just a small fraction of that will go a long way toward mitigating the cost of this bill over time.

Qualifications

I have a Bachelor of Arts degree with a major in English. I have completed several graduate courses in Education while volunteering in classrooms at local middle and high schools. The academic credentials do not overly impress me and do not, in my opinion, prove very much. Much of what I learned in college was formalized theory that had no bearing on my grip of literature or volunteerism in classrooms, so I fully understand how someone might come to learn a subject matter, as well as the soft skills needed for teaching, without acquiring the usual credentials.

Meanwhile, through classwork and volunteering, I have seen firsthand how the CCSS effect lesson planning and teaching. I have seen how they promote the structuring of lessons around “blithering, poorly thought out abstractions,” in the previously-quoted words of Shepherd, to the injury of content-centered learning that engages the senses. And I have seen them take a fluid art form, mastered by most teachers by instinct and intuition, and calcify it into a set of stone tablets for strict procedural fidelity.

The experiences I have seen, studied, and participated in have been edifying and qualify me to helm such a revolutionary project.

Conclusion of the Matter

I am enthusiastic to work with you and your staff to draft and pass policy reform transforming public education in New York State. I hope this proposal earns your approval and invite you to contact me by phone (555-867-5309) anytime to set up a time to meet with me in person and review your decision.

ⁱ Exod. 20:12.

ⁱⁱ Ibid.

ⁱⁱⁱ Exod. 20:7-9.

^{iv} Diane Ravitch, “Robert D. Shepherd: Beware the Social Engineer and His Abstractions,” *Diane Ravitch’s Blog*, June 12, 2013, <https://dianeravitch.net/2013/06/12/robert-d-shepherd-beware-the-social-engineer-and-his-abstractions/>.

^v Barry Garelick, “A New Kind of Problem: The Common Core Math Standards,” *The Atlantic*, November 20, 2012, <https://www.theatlantic.com/national/archive/2012/11/a-new-kind-of-problem-the-common-core-math-standards/265444/>.

-
- ^{vi} C. S. Lewis, *Letters to Malcolm: Chiefly on Prayer* (San Diego: Harvest, 1964), 4-5.
- ^{vii} Diane Ravitch, "Robert D. Shepherd: Beware the Social Engineer and His Abstractions," *Diane Ravitch's Blog*, June 12, 2013, <https://dianeravitch.net/2013/06/12/robert-d-shepherd-beware-the-social-engineer-and-his-abstractions/>.
- ^{viii} Ernest Hemingway, *True at First Light* (New York: Scribner, 1999), 102.
- ^{ix} "State Education Department Releases Spring 2016 Grades 3-8 ELA and Math Assessment Results," *New York State Education Department*, July 29, 2016, <http://www.nysed.gov/news/2016/state-education-department-releases-spring-2016-grades-3-8-ela-and-math-assessment-results>.
- ^x Lindsey Riback, "SUNY SHORTAGE: Teaching programs plummet," *Pressconnects: Press & Sun Bulletin*, November 24, 2016, <http://www.pressconnects.com/story/news/local/new-york/2016/11/24/suny-shortage-teaching-programs-plummet/94348140/>.
- ^{xi} Alexis de Tocqueville, *Democracy in America* (New York: George Adlard, 1839), 317.
- ^{xii} AccountabilityWorks, "National Cost of Aligning States and Localities to the Common Core Standards," *Pioneer Institute for Public Policy Research* 82 (February 2012), 18.
- ^{xiii} *High Achievement New York*, "NEW ANALYSIS: Common Core Repeal May Cost New York State Up to \$280 Million," press release, October 28, 2014.
- ^{xiv} AccountabilityWorks, "National Cost of Aligning States and Localities to the Common Core Standards," *Pioneer Institute for Public Policy Research* 82 (February 2012), 8.

Bibliography

AccountabilityWorks. "National Cost of Aligning States and Localities to the Common Core Standards." *Pioneer Institute for Public Policy Research* 82 (February 2012).

de Tocqueville, Alexis. *Democracy in America*. New York: George Adlard, 1839.

Garelick, Barry. "A New Kind of Problem: The Common Core Math Standards," *The Atlantic*. November 20, 2012. <https://www.theatlantic.com/national/archive/2012/11/a-new-kind-of-problem-the-common-core-math-standards/265444/>.

Harris, Elizabeth and Ford Fessenden. "'Opt Out' Becomes Anti-Test Rallying Cry in New York State." *The New York Times*, May 20, 2015.

Hemingway, Ernest. *True at First Light*. New York: Scribner, 1999.

High Achievement New York. "NEW ANALYSIS: Common Core Repeal May Cost New York State Up to \$280 Million." Press release, October 28, 2014. <https://www.scribd.com/document/244792438/HANY-PR-Common-Core-Repeal>.

Lewis, C. S. *Letters to Malcolm: Chiefly on Prayer*. San Diego: Harvest, 1964.

Ravitch, Diane. "Robert D. Shepherd: Beware the Social Engineer and His Abstractions." *Diane Ravitch's Blog*. June 12, 2013. <https://dianeravitch.net/2013/06/12/robert-d-shepherd-beware-the-social-engineer-and-his-abstractions/>.

Riback, Lindsey. "SUNY SHORTAGE: Teaching programs plummet." *Pressconnects: Press & Sun Bulletin*. November 24, 2016. <http://www.pressconnects.com/story/news/local/new-york/2016/11/24/suny-shortage-teaching-programs-plummet/94348140/>.

Roth, David and Watson Scott Swail. "Certification and Teacher Preparation in the United States." *Pacific Resources for Education and Learning* (November 2000).

"State Education Department Releases Spring 2016 Grades 3-8 ELA and Math Assessment Results." *The New York State Education Department*. July, 29, 2016. <http://www.nysed.gov/news/2016/state-education-department-releases-spring-2016-grades-3-8-ela-and-math-assessment-results>.