

Supplemental Statement of Commissioner Michael A. Rebell

I agree with most of the recommendations and much of the language in the commission's final report, and I very much respect the efforts that the other members of this commission have made to achieve a broad consensus on these recommendations. I do not believe, however, that this document fulfills the commission's charge or deals adequately with the major educational issues currently facing the State of New York. The basic purpose of this commission, according to the governor's charge, was to "comprehensively review and assess New York State's education system, including its structure, operation and processes..." In failing to deal at all with such major issues as funding, special education, the lack of appropriate supports for English language learners, as well as ignoring major current controversies such as implementation of the Annual Professional Performance Review (APPR), and common core systems, the commission has ill-served students, parents, and the public at large. Indeed, the overwhelming proportion of the public testimony presented at the 12 public hearings that we conducted around the state, and the bulk of the written submissions we received, dealt with these core issues that were totally neglected in this final report.

I am particularly concerned that the commission has not even attempted to grapple with the serious education finance issues that have been undermining educational progress throughout the state since the Recession of 2008. The report does acknowledge "the Constitutional right of all of New York's children to have the opportunity for a sound basic education." But then it ignores this constitutional right by failing to even examine the extent to which students are currently being denied a sound basic education, the impact of the extensive budget cuts on the schools' ability to comply with constitutional requirements, and whether, in particular, schools in high need school districts that serve large numbers of children from low-income households, English language learners, and students with disabilities lack the resources they need to prepare their students for school success. In neglecting to deal with these issues, the commission has ignored our specific charges to "evaluat[e] education funding, distribution of State aid, and operating costs ...", and to "examin[e] the unique set of issues faced by high-need urban and rural school districts..."

I am also disappointed that in regard to most of the issues that the commission report does cover, our recommendations are phrased in broad, general terms that provide little guidance for policy makers and the public. I strongly support full day pre-kindergarten for all students, shared services, collective impact mechanisms for providing comprehensive services in high need areas, and many of the other concepts that the report endorses. But policy makers and the public expected us to say more than that progress toward these goals is desirable. The challenge for the commission was to spell out with some precision how these worthy goals could be met. What needs to be done, and how quickly and at what cost, to provide high quality pre-kindergarten services to all students in the state? How can the state overcome past impediments to school district consolidation, regional transportation, regional high schools and other shared service goals? What policies or incentives does the state need to adopt to encourage local communities to implement effective collective impact systems? These are the types of questions that this report should have answered but clearly does not.

I understand that it is difficult to achieve consensus on controversial issues and to craft concrete policy recommendations. But confronting such challenges is precisely the purpose of a commission such as ours. If there were easy solutions to these problems, the governor, the legislature, the regents and the state education department would have solved them long ago. That is precisely why commissions are created. Although our commission, like the legislature, and the regents, has a diverse membership, the fact that we are an independent, non-political body means that we are in the best position to examine and research the issues objectively and to make a good faith attempt to develop a meaningful consensus or majority position on critical substantive issues. I think we should have tried harder to do so.