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The Capitol in the Classroom: Implementing the Common Core in an Era of Coercive Federalism

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The Capitol in the Classroom:
Implementing the Common Core in an Era of Coercive Federalism

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Abstract:

The increased prevalence of federal mandates and funding initiatives support the existence of coercive federalism. The Common Core State Standards Initiative is a notable example of a coercively implemented policy. The failures of its implementation suggest important limitations to coercive federalism, particularly in regards to education policy. Based on my study of the implementation of the Common Core in New York State, I argue in this thesis that its failure is attributed to its rushed rollout in schools, extensive amount of standardized testing, and lack of support received from both teachers and parents.

Part I: Introduction and Literature Review

There has been a big movement for the federal government to implement policies coercively, requiring states to enact policy initiatives using funding requirements and mandates. This movement has been especially salient in recent education policies. The Common Core is one example of such a policy. Its implementation, however, suggests important limitations to coercive federalism. The failure of the Common Core's implementation is attributed to its rushed rollout in schools, extensive amount of standardized testing, and lack of support received from both teachers and parents.

From approximately 1954 to 1978, the United States existed in a period of cooperative federalism. Cooperative federalism emerged as a political response to several deep-rooted challenges facing the nation at the time, including market failure, post-war affluence, racism, urban poverty, and individual rights.¹ The federal government offered fiscal compensation in the form of federal incentives to states and localities for its presence in matters traditionally falling outside of its political authority. Fiscal compensation would be employed to ensure cooperation between the federal government and the states.

As John Kincaid describes, following this period of cooperative federalism, there was a shift to begin implementing policies coercively, largely due to a lack of revenue in the federal government. During this time, the interests of state and local government officials became less significant in policy decisions made by the federal government, while the interests of voters and interest groups increased. As opposed to offering incentives to states to cooperate, the federal government began dictating to the states what to do.²

¹ John Kincaid, "From Cooperative to Coercive Federalism," *The Annals of the American*

² John Kincaid, "Contemporary U.S. Federalism: Coercive Change with Cooperative Continuity," *Revista d'estudis autonòmics i federals* 6 (2008): 10-36.

Further explained by Kincaid, a few key elements of coercive federalism include the imposition of federal grants and mandates. In order to receive federal grant money, states must comply with an increased number of conditions that aim to fulfill federal objectives. States that fail to meet these conditions risk their chance at additional federal funding. The mandates issued by the federal government to the states largely embody a top-down approach to policy. As Kincaid notes, mandates cause issues amongst states when the federal government chooses to not provide additional funding for states to successfully fulfill the directives. These two elements prove to be notable limitations as education policies are implemented coercively.

The shift to coercive federalism rests in the inability of state and local governments to solve large, overarching social problems plaguing the nation. Americans turned to the federal government as the engine for producing social change and increasing personal benefits because of its ability to implement policy at a national level.³ An additional factor contributing to the emergence of coercive federalism was the collapse of the traditional political party system. This expanded the opportunity for the interests of large corporations and businesses to obtain greater influence than the interests of Congress and executive agencies.⁴ The lack of cooperation between the federal government and state governments opened the door for interest groups to take greater stake in federal policies.

The challenges with implementing the federal programs have raised great concerns. Bowling and Pickerill discuss the challenges faced by states as the system of federalism our nation employs becomes less distinct.⁵ They note that as of 2012, the state of our federalism can no longer be designated as one specific type. This can be attributed by, “challenges at the federal

³ John Kincaid, “Contemporary U.S. federalism: Coercive change with cooperative continuity.”

⁴ John Kincaid, “Contemporary U.S. federalism: Coercive change with cooperative continuity.”

⁵ Cynthia J. Bowling and J. Mitchell Pickerill. "Fragmented federalism: The state of American federalism 2012–13." *Publius: The Journal of Federalism* (2013): pjt022.

level-the party polarization, the budget deficit, the level of tax increases and spending cuts required, and the inability of lawmakers to compromise,” which have then trickled down to sub-national governments in the process.⁶ This fragmented federalism is especially prominent in education policy, as Bowling and Pickerill explain. The overlapping existence of No Child Left Behind, the No Child Left Behind waivers, Race to the Top, and the end of the American Recovery and Reinvestment Act of 2009 has led to great confusion. The lack of clarity in policy causes difficulty in determining the authority of the federal government and the states. One result of this fragmented federalism is the creation of state-specific policy. The inability of the federal government to offer more specific policy causes states to create policy catering to their needs.

Recent education policies fall in line with the current period of coercive federalism, as federal policies seek to address the disparity in academic achievement amongst students of different socioeconomic backgrounds, formally known as the achievement gap. Traditionally, education has been the responsibility of state governments. However, reforms to the education system over the past two decades have placed greater authority in the hands in the federal government, largely evident through federal incentives programs and policies aimed to instate nation-wide academic standards.

The federal government has long played a role in education, but its level of involvement has evolved significantly over the years. The passage of the Elementary and Secondary Education Act (ESEA) of 1965 by President Johnson gave the federal government its authority over funding. The Elementary and Secondary Education Act created Title I grants, which “[provide] supplemental federal aid to economically disadvantaged children and provided the

⁶ Cynthia J. Bowling and J. Mitchell Pickerill, “Fragmented federalism: The state of American federalism 2012–13,” 332.

statutory basis for early special education funding.”⁷ The federal government provided additional funding to states where necessary, without employing a method of accountability to measure fulfillment of objectives. The progression of federal involvement in education continued with the reauthorization of the ESEA in 1994. The reauthorization placed a greater emphasis on achievement, changing the official name of the ESEA to the IASA, the Improving America’s Schools Amendment (IASA). The IASA required states receiving Title I funding to adopt state standards that would apply to all students, not just to disadvantaged students falling under the Title I distinction. An assessment to measure progress towards those standards—done through state testing systems—was a critical component of the new reauthorization.⁸ However, no consequences were established for states that failed to meet the proficiency goals.⁹

That same year President Clinton created Goals 2000: Educate America Act of 1994, a law reinforcing the reforms created under the ESEA reauthorization. Goals 2000 put greater emphasis on achievement for all students, with less focus placed on the distinction between Title I and non-Title I students.¹⁰ Paul Manna writes that Goals 2000 and the 1994 reauthorization of the ESEA expanded federal involvement in education because of both policies’ efforts to target increased academic achievement for all.

No Child Left Behind (NCLB), the 2001 reauthorization of the ESEA, signaled a significant shift towards accountability, and ultimately towards a larger role for the federal government in education. With NCLB, the federal government took on the task of reforming the entire education system, as Kevin Wong notes, due to public concerns about school

⁷ Kamina Aliya Pinder. "Federal Demand and Local Choice: Safeguarding the Notion of Federalism in Education Law and Policy." *JL & Educ.* 39 (2010): 1, 3.

⁸ Paul Manna, *School's In* (Washington, D.C.: Georgetown University Press, 2006), 74.

⁹ Kamina Aliya Pinder, "Federal Demand and Local Choice: Safeguarding the Notion of Federalism in Education Law and Policy."

¹⁰ Paul Manna, *School's In*, 75.

performance.¹¹ However, many contribute the failed implementation of No Child Left Behind to the increased authority of the federal government in states' education systems, as they employed a "one-size-fits-all" solution to what they perceived as poor school performance. The primary challenge with NCLB was that the provisions and standards of accountability were established by the U.S. Department of Education, but the implementation was left up to the states. In addition, the amount of funding provided was not entirely sufficient for implementation. Pinder explains that as the law was implemented, "many state and local officials came to denounce the law as embodying over prescriptive mandates imposed without sufficient funding."¹² Changes had to be made to the law after its initial creation because the proficiency standards set were unrealistically high. Making adequate yearly progress (AYP) was required in order for all schools receiving Title I grants. States would have lost their Title I funding if the standards remained the same.

Role differentiation between the states and the federal government in education becomes less clear when the aim for policy moves towards redistribution and equalization. Peterson argues that redistributive policies should be left to the responsibility of the federal government, rather than state government. States and localities are not prepared to develop and finance social welfare programs, but are rather more suited to produce developmental policies.¹³ Taking this argument into consideration, the redistributive element of No Child Left Behind, seen in its objective to reduce the nation's achievement gap, explains the federal government's enhanced role in education policy. However, as Jenkins presents in her article, state and local control over

¹¹ Kevin K. Wong, "Federalism Revived: The promise and challenge of the No Child Left Behind Act," *Public Administration Review* 68, no. 51 (2008): S175-S185.

¹² Kamina Aliya Pinder, "Federal Demand and Local Choice: Safeguarding the Notion of Federalism in Education Law and Policy," 393.

¹³ Paul E. Peterson, "Who Should Do What? Divided Responsibility in the Federal System," *The Brookings Review* 13, no. 2 (1995): 6.

education allows districts to create programs that address the specific needs of their student population. Jenkins argues that education federalism-in this case the education policies attempted to be implemented coercively-is what prevented No Child Left Behind's ability to reduce the achievement and opportunity gaps.¹⁴ Continuing with that point, Pinder argues that the appropriate role for the federal government in education should be greater than just a funding device, but it should exist in a manner that gives more authority to states and localities because of their proximity to the issue.¹⁵

While the federal government has increased its role in national education policies, private organizations and teachers' unions have also exerted greater influence in the education sector. As the influence of market-based reforms in education continue to rise, as evidenced through the prevalence and popularity of school choice, the role of private organizations becomes much more influential in both the creation and implementation of policy. The power of the teachers' union primarily lies in its collective bargaining capabilities, rather than policy creation. Their true level of influence comes into question as reforms are created at higher levels of government and out of the reach of union influence. Both actors cannot directly create policy, but carry great weight in how a policy unfolds. Determining how and to what extent private organizations and teachers' unions shape education policy is important to understanding policy implementation.

Private organizations in education have contributed to the rise of market-based reforms in education. Most literature on the prevalence of education philanthropists presents the idea that these private groups are now directing their resources to influence policy. The foundations are

¹⁴ Kimberly Robinson Jenkins, "The High Cost of Education Federalism," *Wake Forest L. Rev.* 48 (2013): 287.

¹⁵ Kamina Aliya Pinder, "Federal Demand and Local Choice: Safeguarding the Notion of Federalism in Education Law and Policy."

using their wealth as a way to advocate for a specific policy agenda-particularly in education.¹⁶ This increased prevalence and influence of private groups in education is most simply summed up through an excerpt of President Obama's 2014 State of the Union Address, in which "[he] expressed his intent to bring together 'elected officials, business leaders, and philanthropists' to work on education issues."¹⁷ The federal government welcomes support from the education foundations, even encouraging collaboration with not only education philanthropists, but business leaders as well.

Reckhow and Snyder credit the increased role of education philanthropists to the growing federal role in education. Policy is now promoted at a national level, rather than developing separate policies and methods in each state. Reckhow and Snyder track the increase in foundational donations to education by collecting data from 2000, 2005, and 2010 990-PF tax forms filed by the 15 largest foundations donating the most money to K-12 education. With this information, they found that not only did the number of grants increase, but the total amount of money donated drastically increased as well, going from over \$486 million in 2000 to about \$843 million just ten years later.¹⁸ More of this money has gone towards challengers to public education, most notably the charter schools.

In her book, *Follow the Money*, Sarah Reckhow further researches the subject of private money in education. She argues for a direct link between education foundations and political objectives. Private money, coming from philanthropists such as Bill and Melinda Gates, have helped finance the new structure of education. She notes that the increase in philanthropic

¹⁶ Sarah Reckhow and Jeffrey W. Snyder, "The expanding role of philanthropy in education politics," *Educational Researcher* 43, no. 4 (2014): 186-195.

¹⁷ Sarah Reckhow and Jeffrey W. Snyder, "The expanding role of philanthropy in education politics," 188.

¹⁸ Sarah Reckhow and Jeffrey W. Snyder, "The expanding role of philanthropy in education politics," 187.

involvement in K-12 education stems from the growing role of the federal government in education, the expansion of market-based reforms, and the changing nature of philosophy.¹⁹ Private donations are used to influence education at the federal level, allowing for their money prompt more substantial reform.

Many authors suggest the linkage between philanthropic donations and political motivations. In her book, *Reign of Error*, Diane Ravitch details the powerful influence of the Bill and Melinda Gates Foundation in education, specifically in the creation of policy. She notes, “[The Gates Foundation] supported the creation, evaluation, and promotion of the Common Core State Standards, which have been adopted in almost every state. In addition, the Gates Foundation has joined in a partnership with the British publisher Pearson to develop online curriculum for teaching the Common Core standards.”²⁰ The Gates Foundation maintained a high level of influence throughout the entire policy process, from the creation of the actual standards to the way in which the standards were to be taught in classrooms across the country. To attach a monetary value to the degree of influence, together the Gates Foundation and the Walton Foundation-another influential philanthropic organization-spend more than \$500 million annually on education projects.²¹ Philanthropic donations are used to achieve certain policy objectives, but how their influence resonates once a policy is implemented can still be left to question.

Teacher support and cooperation is necessary for successful implementation, making teachers’ unions another influential actor education policy. In his article, Terry M. Moe argues that the teachers’ unions have more influence on public schools than any other group; however,

¹⁹ Sarah Reckhow, *Follow the Money* (New York: Oxford University Press, 2013), 12.

²⁰ Diane Ravitch, *Reign of Error* (New York: Vintage Books, 2013), 23.

²¹ Diane Ravitch, *Reign of Error* (New York: Vintage Books, 2013), 25.

he takes a negative view on the influence the unions carry. He describes their goals as “securing benefits and protections for their members, increasing demands for teachers, supporting higher taxes, regularizing the flow of resources into union coffers, minimizing competition, and seeking political power.”²² Rather than improving the public education system, Moe argues that the teachers’ unions hinder school improvement through their desire to maintain the status quo, resisting the school choice movement because privatization poses a threat to public education.

Marc Tucker argues that teachers’ unions have the ability to promote school reform, but they need the trust of the government in their role as true representatives of the teachers. He notes that countries with the highest student performance in the world also house some of the strongest teachers’ unions in the world. He believes that in order create viable education reform, teachers’ union needs to be assured that the government has confidence in their ability to institute positive change.²³

The influence of teachers’ unions on the policy-making process remains limited because their power does not extend into that realm. Their true power rests in collective bargaining and ensuring job security. Although they do not have the ability to directly change or create policy, they can slow down the adoption of a policy that does not fall in line with teachers’ interests. Many scholars, including Moe, view the strength of the union’s influence as an inhibitor to education reform and maintain status quo. Others leans towards the argument of Tucker, being that the union serves as a powerful tool for reform, but in order to tap into its potential, a trust needs to be established between the government and the labor force.

²² Terry M. Moe, "Teachers unions and the public schools," *A primer on America's schools* (2001), 16.

²³ Marc Tucker, "A different role for teachers unions," *Education Next* 12, no. 1 (2012), 20.

The Common Core was created under the reign of coercive federalism. Common Core is unique because, although it is not federal mandate, states were incentivized to adopt the standards through the Race to the Top Initiative. In its efforts to establish greater educational equality through common, high-quality academic standards, the Common Core attempts to solve a greater overarching social problem in the country-the achievement gap. Understanding the failures behind the Common Core's implementation allows us to examine the limitations of education policy created under a period of coercive federalism.

To gain a more individualized understanding of the Common Core's implementation, I will specifically examine its implementation process in New York State. New York State has traditionally employed a system of highly regarded academic standards and state examinations. In addition, New York's story is unique in the fact that New York Governor Andrew Cuomo recently made the decision to overhaul the state's current implementation of the Common Core. He made the announcement this past September, issuing the creation of a task force designed to investigate the implementation failures of the standards and to issue recommendations for moving forward with the policy.

In studying the implementation of the Common Core in New York State, as well as its eventual overhaul, I will additionally analyze the influential roles played by both private organizations and the New York State teachers' union. As the influence of market-based reforms in education continue to rise, as evidenced through the prevalence and popularity of school choice, the role of private organizations becomes much more influential in both the creation and implementation of education policy. The role of the teachers' unions, a group intended to formally represent the interests of the teachers, whose power primarily comes in the form of collective bargaining rather than policy creation, comes into question as reforms are created at

higher levels of government and out of the reach of union influence. Because successful implementation of education policy is a fairly local issue, the rollout of a federal-issued initiative warrants the influence of other policy actors. How and to what extent they shape the policy process varies under a coercive federalist agenda. This research will help shed light on the limitations of coercively implementing federal education initiatives, which can then be used to thoughtfully assess how to best move forward in bettering our nations' education system as a whole.

I employed the use of qualitative research methods to answer my research question. I generated a significant portion of my research through interviews with individuals closely related to the Common Core implementation in New York. These individuals included: two public school teachers, both highly involved with the New York State Teachers' Union, a member of the New York State legislature, a superintendent of a New York school district, and the executive director for a Common Core advocacy group. In additions to interviews, I relied on various newspaper articles pertaining to the subject, as well as state-issued reports, primarily the Common Core Task Force Report.

Part II: Common Core Creation and Initial Implementation

A. The Road to Common Core

The history of the Common Core State Standards Initiative first begins with the creation of another notable education initiative dating back to 2009, known as Race to the Top. The Race to the Top Fund was the byproduct of the American Recovery and Reinvestment Act of 2009, a notable piece of legislation signed into law by President Barack Obama, designed to vitalize the

economy, enhance job creation, as well as invest in key sectors, including education.²⁴ Race to the Top—the brainchild of President Barack Obama and former Secretary of Education Arne Duncan—offered states the opportunity to compete for federal grant money for K-12 education, worth a total of \$4.35 billion. In order to be eligible for selection, states were required to fulfill a certain number of criteria aimed at advancing school reform, created and decided upon at the federal level. Race to the Top criteria required states to construct efforts to develop and adopt common standards, produce common high-quality assessments, improve teacher and principal effectiveness, and improve student achievement at low-performing schools.²⁵ It pushed for states to evaluate teachers in relation to the test scores of their students and encouraged states to allow for more privately managed charter schools.²⁶ States developing ambitious and innovative plans fulfilling the necessary amount of criteria set forth by the U.S. Department of Education were eligible for a sizable amount of grant money to be used for implementing their proposed reforms.

Among the first wave of states receiving Race to the Top grant money was New York. New York received notification of their selection in September 2010, obtaining approval for their proposed plan and budget worth \$696,646,000.²⁷ Just three months prior, in June of 2010, the National Governors Association and the Council of Chief State School Officers released the Common Core State Standards.²⁸ The Common Core State Standards Initiative was not a federally mandated program and therefore did not offer any federal funding to states for agreeing to adopt the standards. Although adoption of the Common Core State Standards was not required

²⁴ U.S. Department of Education, “Race to the Top Program Executive Summary,” November 2009, <http://www2.ed.gov/programs/racetothetop/executive-summary.pdf>, 2.

²⁵ U.S. Department of Education, “Race to the Top Program Executive Summary,” 3.

²⁶ Diane Ravitch, *Reign of Error* (New York: Vintage Books, 2013), 28.

²⁷ U.S. Department of Education, “Phase Two Award Letters,” September 24, 2010, <http://www2.ed.gov/programs/racetothetop/phase2-awards/new-york.pdf>

²⁸ Common Core State Standards Initiative, “Development Process,” accessed January 6, 2016, <http://www.corestandards.org/about-the-standards/development-process/>.

in order to receive Race to the Top funds, Common Core offered a set of standards ready for adoption nationwide, aligning quite nicely with the Race to the Top objectives. In its Race to the Top application, New York State specifically cites the Common Core Standards as their method of fulfillment for the “Developing and adopting common standards” component.²⁹ New York’s proposed reform of their standards and assessments revolves completely around the adoption and implementation of the Common Core Standards. Because Common Core is not federally mandated, individual states still had the responsibility for creating proper curriculum and developing assessments aligned to the new standards. However, even though Common Core was very much left up to state discretion, unattached to federal funding at the surface, the influence of Race to the Top funding allowed the federal government to maintain a significant role in development of state education policy. The standards were officially adopted in New York in July of 2010 and approved by the New York State Board of Regents in January 2011.³⁰

B. Policy Actors

The implementation of education policy in New York is shaped by the variety of influential actors that hold stake in education. In looking at state government, the highest executive authority in education rests with the New York State Board of Regents.³¹ The Board of Regents serves as a type of executive board for state education—all decisions must be formally approved by them. There is a state education commissioner, but the commissioner then has to answer to the Board of Regents. The Board of Regents was originally established as its own

²⁹ New York State Education Department, “New York State: Race to the Top,” Jan. 19, 2010, 70.

³⁰ NYC Department of Education, “Standards,” accessed March 1, 2016,

<http://schools.nyc.gov/Academics/CommonCoreLibrary/About/Standards/default.htm>.

³¹ Interview One, Public school teachers in Ballston Spa Central School District, January 8, 2016.

separate entity for the purpose of keeping education strictly non-partisan. In order to be appointed to the Board of Regents, you must be nominated by a member of the New York State Senate or Assembly. It is interesting to note that the vote to approve an individual's appointment to the Board of Regents is a combined vote of both the Senate and the Assembly-as opposed to a vote in each chamber. All legislature members are placed in one room for a vote, which heavily favors the Assembly due to its larger size in membership.

The Board of Regents controls the State Education Department.³² The New York State Education Department is set up as an agency separate and distinct from the state's legislative and executive branches. It is the sole state agency not under the control of the Governor. Like the motive behind the Board of Regents, the State Education Department is also meant to be a separate institution in order to remain apolitical.

The comprehensive plan developed as a part of New York's application for Race to the Top was created under the leadership of former Governor David Paterson, Board of Regents Chancellor Merryl Tisch, and Commissioner of Education, Dr. David Steiner.³³ The leaders in developing the plan included Commissioner Dr. David Steiner and Senior Deputy for P-12 Education, Dr. John King. In providing background to these individuals' successes in education, the application cites their administrative successes in implementing education policy. Dr. John King served as a managing director for Uncommon Schools, a non-profit charter management organization and co-founder and co-director for curriculum and instruction at Roxbury Preparatory Charter School.³⁴ It is worthy to include reference to John King because of his role as New York's Commissioner of Education from 2011-2014, the initial years of rollout for

³² Interview Two, New York Assemblywoman Carrie Woerner, January 14, 2016.

³³ New York Department of Education, "New York State: Race to the Top," January 19, 2010.

³⁴ U.S. Department of Education, "John B. King, Jr., Secretary of Education-Biography," accessed March 7, 2016. <http://www2.ed.gov/news/staff/bios/king.html?src=hp>.

Common Core. In addition, he is now the Acting Secretary of Education at the U.S. Department of Education. In sum, the primary role for making key decisions in regards to education policy rests in the hands of the State Education Department and the Board of Regents.

The next influential actor in the implementation of education policy within the state resides with the state's teachers' union. The New York State United Teachers (NYSUT) is comprised of more than 600,000 individuals who work in, or are retired from, New York State schools.³⁵ NYSUT is affiliated with the American Federation of Teachers and the National Education Association. New York is a closed union shop state, meaning once hired at a public school, you immediately become a member of the teachers' union.³⁶ While speaking with New York public school teacher, Robert Smith*, he noted the sense of obligation he felt in joining the union. Although he automatically became a member of the union after being hired as a teacher in a public school, his willingness to be a part of the union is attributed to the safety the union provides for its members, in terms of job protection and support.³⁷

Because the primary objective of the teachers' union is to provide job security and offer support to its members, the scope of the union's power in the policy realm remains limited. The union has no specific policy-making power, but their influence has extended in the policy realm as they work to fulfill their primary objective: teacher protection. When the union feels as though a policy is not best serving the interests and needs of the teachers, they can seek to advocate for a change to be made.

³⁵ New York State United Teachers, "About," accessed January 6, 2016, <http://www.nysut.org/about>.

³⁶ Interview One, Public school teachers in Ballston Spa Central School District, January 8, 2016.

* *Name changed to conceal identity*

³⁷ Interview One, Public school teachers in Ballston Spa Central School District, January 8, 2016.

Individual school districts generally have their own district-wide teachers' association acting as an extension of NYSUT. This ties the union close to teachers at a very local level. I spoke with two New York State public school teachers who actively participate with the union both locally and statewide.³⁸ Much of what they shared could be more specific to what occurs in their own individual district, but their experience with the Common Core likely applies to other districts throughout the state. Their experience likely transcends due to the fact that all districts were responsible for instituting the same policy mandates given by the state; however, each district will naturally vary according to a district's leadership and the socioeconomic makeup of the district's student population. It is still important to acknowledge the specificity of their testimony. The first teacher, Robert Smith, serves on the executive board for his district's teachers' association. His primary responsibility is to act as a liaison between the teachers and the executive board. In his specific case, he communicates with the teachers of the district's high school, answering questions they may have regarding contract issues, workplace issues, and other general inquiries. The executive board Mr. Smith serves on then communicates with higher levels of the union through monthly meetings and email. This facilitates open communication between the union and the teachers. The second teacher, John Doe*, voluntarily takes on a more politically active role within the union. He referred to himself as taking on a more "prominent willingness" to become involved with the changes taking place in education. He assists the union president with political action coordination. Additionally, he attends bimonthly legislative briefings that discuss how the parent union is interacting with elected officials that are in charge of implementing policy. Although the teachers' union does not have the direct authority to create

³⁸ Interview One, Public school teachers in Ballston Spa Central School District, January 8, 2016.

* *Name changed to conceal identity*

education policy they feel best represent the interests of the teachers and students, they exert their influence through different channels and advocate for what they believe to be best.

The next group playing a pivotal role in modern education policy is the collection of private organizations promoting education reform. Based on the organization, the type of influence they hold over policy can vary. In some cases, these organizations simply advocate for a specific cause and gain strength through gathering support from individuals across the state. In regards to Common Core, these types of organizations actively work to promote the standards to the best of their ability. In speaking with the executive director for High Achievement NY, an education advocacy group, he explained that the goal of his organization is to simply “keep the public conversation going” about the Common Core standards.³⁹ High Achievement NY was created after the standards had been implemented in New York. Created in 2014, the organization formed in response to Common Core resistance being vocalized throughout the state. These types of private organizations act as advocates for Common Core. On the opposite end of the private organization spectrum lie the groups that push for their own political agenda, supplying the additional-and extremely influential-factor of money. A part of New York’s winning Race to the Top application included the proposal to increase the number of charter schools.⁴⁰ Because charter schools are independently run and open to additional funding, the movement to push for an increased number of charters within the state has received support from not only private organizations, but businesses as well. Many big businesses and Wall Street bankers invest in charter schools because it is seen as a stable and high-demand product.⁴¹ Race

³⁹ Interview Four, Executive Director of High Achievement NY, January 14, 2016.

⁴⁰ Kate Taylor, “Merryl Tisch, Board of Regents Chief Who Set Off Testing Backlash, Reflects on her Tenure,” *New York Times* (New York, New York) March 10, 2016.

⁴¹ Valerie Strauss, “The big business of charter schools,” *Washington Post* (Washington D.C.) August 17, 2012.

to the Top and Common Core opened up the door for more charter schools to be established, a testament to the fact that charter schools are a growing industry. Current New York Governor Andrew Cuomo is a proponent of charter schools, having worked with state legislators to increase the charter cap in New York City from 25 to 279.⁴² Because of the notable academic success some charter schools have achieved thus far, they have become a central point of advocacy. They represent innovation and reform in education. Charter schools open up the playing field to more outside organizations to place stake in the industry, allowing private organizations to exert influence in education-both in terms of advocacy and financial support.

The federal government provided financial support for states to institute the Common Core standards, but not in a direct or obvious fashion. As previously mentioned, the Common Core State Standards Initiative is not federally mandated-states have the option of choosing whether or not to adopt and implement the standards. However, adopting a common set of academic standards was a key requirement in receiving Race to the Top funding.⁴³ In terms of implementation, the federal government does not have great authority. Individual states have the responsibility to choose how and in what fashion to implement the new standards. No additional funding was provided for adopting the Common Core standards, besides that provided through Race to the Top. The federal government's influence remains largely at the development stages of the policy, but the rollout is primarily dealt with at the state and local level.

⁴² Kate Taylor, "Success Academy Gets \$8.5 million to Add Charter Schools in New York City," *New York Times* (New York, New York) July 30, 2015.

⁴³ Kate Taylor, "Merryl Tisch, Board of Regents Chief Who Set Off Testing Backlash, Reflects on her Tenure," *New York Times* (New York, New York) March 10, 2016.

C. Common Core Adoption: Influence Analysis

The federal government had the greatest influence on New York's implementation of the Common Core in comparison to other groups, including the state government, teachers' unions, and private organizations. The influence of the federal government in New York's decision to adopt the Common Core further displays the coercive nature of the policy.

Federal incentives in Race to the Top proved to be a major motivation in New York's decision to adopt the Common Core. The federal government's influence appears to be very prominent in the decision to adopt the standards, but a great deal of influence rests with New York's state government because of its control over implementation. The Common Core State Standards Initiative not only provided states with a set of nation-wide academic standards, but it also gave states the opportunity to adopt well-constructed standards for students aimed at increasing overall academic achievement. Unlike earlier sets of academic standards, the Common Core standards aim to develop students' critical thinking skills.⁴⁴ In an interview, high school teacher Robert Smith explains that the Common Core standards and corresponding curriculum allow for more inquiry and skills-based learning, as opposed to content-based learning.⁴⁵ New York school district superintendent, Mr. Dan Johnson*, felt as though the Common Core acted as a "catalyst...to help [the district] continue to improve."⁴⁶ Mr. Johnson notes that, comparatively across the nation, New York has long instituted high education standards, but the Common Core standards have helped to "raise the game of everybody."⁴⁷

⁴⁴ Common Core State Standards Initiative, "About the Standards," accessed January 6, 2016, <http://www.corestandards.org/about-the-standards/>.

⁴⁵ Interview One, Public school teachers in Ballston Spa Central School District, January 8, 2016.

* *Name changed to conceal identity*

⁴⁶ Interview Three, New York public school superintendent, January 11, 2016.

⁴⁷ Interview Three, New York public school superintendent, January 11, 2016.

Although the adoption of Common Core signaled great influence from the federal government in the form of competitive grant money, the state's decision to implement the Common Core also stemmed from the opportunity placed in front of them to revise old standards and replace them with a more rigorous and comprehensive set.

In regards to the decision to adopt the Common Core in New York, I found the influence of private advocacy organizations to be relatively strong, drawing largely from the extremely generous funding put forth by the Bill and Melinda Gates Foundation. Because the Gates Foundation worked on a national level, their influence is not entirely specific to New York, which is important to note in assessing their influence. The efforts of the Gates Foundation contributed heavily in the creation of the Common Core standards.⁴⁸ *The Washington Post's* Lyndsey Layton refers to Bill Gates as “de facto organizer,” as he provided the money and structure for states to create the national set of standards.⁴⁹ In addition to orchestrating the creation of the Common Core standards, Gates also provided money to state and local groups, in attempts to influence policymakers, Layton notes. After adoption, The Gates Foundation donated over \$15 million to both states-to properly train teachers in Common Core methods-and to local advocacy and business groups to build public support.⁵⁰ Although not created as a result of Gates funding, the advocacy group, High Achievement NY, formed with a similar motive in mind- to rally public support for the standards amidst backlash from a number of individuals across New York State.⁵¹

⁴⁸ Diane Ravitch, *Reign of Error* (New York: Vintage Books, 2013), 23.

⁴⁹ Lyndsey Layton, “How Bill Gates pulled off the swift Common Core revolution,” *Washington Post* (Washington, D.C.) June 7, 2014.

⁵⁰ Lyndsey Layton, “How Bill Gates pulled off the swift Common Core revolution,” *Washington Post* (Washington, D.C.) June 7, 2014.

⁵¹ Interview Four, Executive Director of High Achievement NY, January 14, 2016.

The additional weight of the private organizations' influence largely grew out of the school choice movement, as private organizations advocated for an increased number of charter schools in New York State.⁵² Charter school advocacy does not directly link to the Common Core standards, but it ties into the Common Core implementation because New York's Race to the Top application explicitly states their plan to stimulate the growth of New York's charter school network. The endorsement of charter schools is stated below:

Subsequently, a study by Stanford University's Center for Research on Education Outcomes (CREDO) found that the typical student in a New York City charter school learns more than their virtual counterparts in their feeder pool in reading and mathematics. (The composite virtual student is based on students in competitor traditional public schools, known as the charter school's feeder pool. The Governor and the Regents have endorsed raising the cap on charter schools to further grow the State's successful charter schools and networks.⁵³)

Governor Cuomo began expressing support for charter school expansion throughout the state at the start of his second term. His support and plan for expansion became more sharply criticized by teachers because it seemed to represent a lack of trust in the ability of public schools to increase student achievement.⁵⁴ Expressing greater support for charter schools signaled his endorsement of school choice. As district superintendent Dan Johnson notes, "Choice...evolves when people aren't happy with the current option," with the best way to eliminate it being "to provide the means for what people want in the first place."⁵⁵ Many private organizations have stemmed from the movement to increase school choice within public

⁵² Kate Taylor, "Success Academy Gets \$8.5 million to Add Charter Schools in New York City," *New York Times* (New York, New York) July 30, 2015.

⁵³ New York Department of Education, "New York State: Race to the Top," January 19, 2010, 17.

⁵⁴ Kate Taylor, "Cuomo's Education Agenda Sets Battle Lines with Teachers' Unions," *New York Times* (New York, New York) January 20, 2015.

⁵⁵ Interview Three, New York public school superintendent, January 11, 2016.

education, which largely influences relations between the state and the teachers, adding further flame to the fire as teachers express their issues with the state's rollout of the Common Core.

The influence of the teachers' union in New York remained somewhat weak as the Common Core was first implemented. As the Common Core was put into practice in schools throughout the state, the power of the union grew by weakening Governor Cuomo in his authority over education. In speaking with teachers Robert Smith and John Doe, Mr. Doe states that they saw a "diminishment of the power of teachers' unions" when the Common Core and the new teacher evaluations initially became implemented.⁵⁶ He cites that at that point in time, Governor Cuomo was extremely popular within the state and was able to do what he wanted in regards to education policy. As time went on and public disapproval grew against the Common Core testing, his popularity decreased and more authority went back into the hands of the union, one of the influential groups leading the movement against the Governor's education objectives.⁵⁷ One of the notable issues arising from Common Core amongst teachers was the new teacher evaluation system. Prior to Common Core, teacher evaluation systems were designed at the local level, giving districts control over how their teachers would be assessed.⁵⁸ The rollout of Common Core also included a revised teacher evaluation system that tied student test scores to a teacher's evaluation. The new evaluation process was much stricter and required yearly observations for both tenured and non-tenured teachers.⁵⁹ As problems began to surface with how the Common Core was implemented, the influence of the teachers and the union gradually

⁵⁶ Interview One, Public school teachers in Ballston Spa Central School District, January 8, 2016.

⁵⁷ Interview One, Public school teachers in Ballston Spa Central School District, January 8, 2016.

⁵⁸ NYSUT school district representative, email message to author, March 3, 2016.

⁵⁹ NYSUT school district representative, email message to author, March 3, 2016.

began to increase, but in the initial implementation stages, the influence of the union remained limited.

Part III: Common Core Rollout

In September of 2015, New York Governor Andrew Cuomo announced the creation of the Common Core Task Force, designed to comprehensively review the standards and its implementation in New York State. In a video released of Governor Cuomo explaining the creation of the task force, he discussed the state's improper rollout of the standards:

The evidence of failure is everywhere. Today many teachers and superintendents across the state will rightfully point out errors in the program. They will point out that they did not receive enough support to fully understand and implement this dramatic transition. It is time to overhaul the common core program and also the way we test our students.⁶⁰

Recognizing the failure to properly implement the standards in a timely manner, Governor Cuomo gathered a group of education officials from across the state, ranging from the Commissioner of the New York Education Department to a third grade teacher from P.S. 156 in Brooklyn, to address how the state's implementation strategy could be improved.⁶¹ The fifteen individuals making up the Common Core Task Force were charged with the responsibility of reviewing testing and curriculum, while engaging with students, teachers, and parents from across the state. The report to follow with the task force's findings would be used to essentially overhaul the Common Core and help to institute a more appropriate system of phasing in the standards and conducting assessments.

⁶⁰ The State of New York, "Governor Cuomo Announces Launch of Common Core Task Force," last modified September 28, 2015, <https://www.governor.ny.gov/news/governor-cuomo-announces-launch-common-core-task-force#transcript>.

⁶¹ The State of New York, *Common Core Task Force Report*, December 10, 2015.

In this next section I will address the question of how the Common Core in New York State got to this point of failure. In addition to the rushed implementation of the Common Core standards and the corresponding testing and curriculum, I believe the answer lies within the variety of actors taking part in the rollout of this particular policy. Analyzing the influences of the policy actors will help assess not only why Common Core's initial rollout failed, but will also lead to an understanding of the key limitations to coercive federalist policies.

A. Problems Arising in the Classroom

Varying degrees of success with implementation occurred across the state, but there was a general consensus that the way in which the standards were phased in was all but successful. Numerous mistakes made during the implementation of Common Core are noted to have caused the ultimate downfall of the policy.⁶² The most noted mistake was the limited amount of time allotted for schools to phase in the standards. The Common Core Task Force Report stated that teachers were confused while adopting the new material without being given proper instruction and assistance in how to adequately adopt the standards in their classrooms. A lack of professional development was made available to teachers to learn and absorb the new material.⁶³ Teachers were not given enough time to develop curriculum aligning with the standards, additionally harmed by the fact that model curriculum created by the state was not made available until long after the standards were implemented. Then, once state-created curriculum became available to teachers, serious flaws in the curriculum became apparent. The sample modules provided for teachers were not properly timed. Claiming to take only 45 minutes, the

⁶² The State of New York, *Common Core Task Force Report*, December 10, 2015.

⁶³ Interview Two, New York Assemblywoman Carrie Woerner, January 14, 2016.

modules proved to really take up to 60 minutes or more, as noted in the Common Core Task Force Report.⁶⁴

The rushed rollout of Common Core became much more problematic once adding in the additional requirement of instituting testing aligned to the new standards. Stated in the Common Core Task Force's report, students were required to take Common Core-aligned tests in the spring of 2013- the same school year in which the standards were adopted. Combined with the lack of direction given to teachers on how to best incorporate the new standards into the classroom, being required that same school year to have their students tested on the new standards raised issues for both teachers and students. One of the greatest concerns rising out of a heavy reliance on testing is the phenomenon known as "teaching to the test." Without sufficient time to adequately incorporate the standards into curriculum, it could potentially cause teachers to spend greater instruction time on the material likely to appear on standardized tests. Once test-based teacher evaluations are thrown into the equation, the threat of teaching to the test becomes far greater.

While discussing the issues arising during implementation of the Common Core with Mr. Smith and Mr. Doe, they discussed the rushed rollout of the standards. Mr. Smith describes the Common Core as much more of a "top-down initiative."⁶⁵ The federal government put pressure on the states, causing rushed implementation. He additionally notes the marriage of the Common Core with a teacher evaluation system as the fundamental flaw in the entire process. Tackling

⁶⁴ The State of New York, *Common Core Task Force Report*, December 10, 2015.

⁶⁵ Interview One, Public school teachers in Ballston Spa Central School District, January 8, 2016.

these two somewhat disparate tasks at once becomes extremely problematic because teachers would be evaluated on something they had very little experience with.⁶⁶

They also discussed the failure of aligning high school state tests with the new standards. High school students in New York are required to take the Regents Exams, New York's state test for students in grades 9-12, administered in all subjects. The Common Core adds an additional challenge to high school students and teachers because currently the Regents Exams are not Common Core-aligned. As Mr. Smith explains, teachers are preparing themselves to teach via the Common Core approach—a more skills and inquiry based approach; however, students are still being assessed on the New York state standards that were created in 1998—standards based more on content.⁶⁷ He notes that there are crossovers and similarities between the two different approaches, but different emphases exist amongst the two. Over the new few years, the new Regents Exams will be phased in, redesigned to align with the Common Core. According to Mr. Smith, no field-testing of the newly designed Regents Exam has yet to take place in schools, which prevents teachers from having an idea of what the exam will look like.

The testing component of the Common Core's implementation raised additional concerns about the how much time was being spent taking standardized tests. Concerns over the length of testing was included in the Common Core Task Force Report, stating that some elementary students had been taking between 360 and 540 minutes of testing.⁶⁸ As a comparison, they noted that the SAT is only 225 minutes. The length of the new Common Core-aligned tests proved to be extremely time consuming, which posed problems for both students and teachers. Considering

⁶⁶ Interview One, Public school teachers in Ballston Spa Central School District, January 8, 2016.

⁶⁷ Interview One, Public school teachers in Ballston Spa Central School District, January 8, 2016.

⁶⁸ The State of New York, *Common Core Task Force Report*, December 10, 2015.

the new tests are administered to students in grades eight and below, it tends to be a rather draining experience for students. As explained by New York State Assemblywoman Carrie Woerner, each test consisted of three 90-minute components, broken up over three days. One week is devoted to the English language arts test, and the next week devoted to the mathematics test.⁶⁹ The excessive amount of testing occurring proved to be of little value to teachers as well because teachers had limited access to the test scores of their students on the exams.⁷⁰ Additionally, when the tests were first administered, teachers were not allowed to discuss the contents of the exam, even amongst colleagues.⁷¹ Because an air of secrecy existed around the tests, very little could be learned from the results, offering minimal instructional value. Teachers could not use test results or test content to improve instruction, questioning the true purpose testing.

B. Teacher Evaluations

While speaking with Assemblywoman Carrie Woerner, she explained that the difficulty in discussing problems with the Common Core is that the issues with the policy go beyond the actual standards themselves.⁷² One example of this is the effect of the Common Core on teacher evaluations.

In New York's winning Race to the Top application, in addition to adopting the Common Core standards, New York also planned to tie student test scores to teacher evaluations.⁷³ New York had always had a teacher evaluation system in place, but prior to Race to the Top and the

⁶⁹ Interview Two, New York Assemblywoman Carrie Woerner, January 14, 2016.

⁷⁰ Interview Two, New York Assemblywoman Carrie Woerner, January 14, 2016.

⁷¹ Interview Two, New York Assemblywoman Carrie Woerner, January 14, 2016.

⁷² Interview Two, New York Assemblywoman Carrie Woerner, January 14, 2016.

⁷³ New York Department of Education, "New York State: Race to the Top," January 19, 2010.

Common Core, evaluation plans were locally created and districts had control over how teachers would be evaluated. Teacher evaluations were largely centered on observations. Non-tenured teachers were observed in order to receive tenure, and then once tenure was received, no more observations were required.⁷⁴ Perhaps most importantly, test scores were never an evaluation factor. The new policy resulting from *Race to the Top* in 2010 required that test scores count for 20 percent of evaluations for teachers of English and math in grades 4-8.⁷⁵ This resulted in opposition from teachers across the state, largely due to the fact that part of their evaluation would be determined by their students' performance on tests that both teachers and students had little experience with. In describing the kind of impact Common Core has had on schools in his district, Mr. Smith immediately cites the teacher evaluation. In addition to the test score emphasis, he explained the overbearing amount of paperwork associated with the new evaluation system. Each observation has tremendous amounts of paperwork associated with it, which he described as both "tedious and cumbersome."⁷⁶

Governor Andrew Cuomo became a leading proponent for the new teacher evaluation system. In his State of the State Address in January 2015, Governor Cuomo called the state's evaluation system "baloney" because 96 percent of teachers were rated as effective or highly effective.⁷⁷ In response to those results, Governor Cuomo proposed to increase the weight of test

⁷⁴ NYSUT school district representative, email message to author, March 3, 2016.

⁷⁵ Kate Taylor, "Cuomo, in Shift, is Said to Back Reducing Test Scores' Role in Teacher Reviews," *New York Times* (New York, New York) November 25, 2015.

⁷⁶ Interview One, Public school teachers in Ballston Spa Central School District, January 8, 2016.

⁷⁷ Kate Taylor, "Cuomo, in Shift, is Said to Back Reducing Test Scores' Role in Teacher Reviews," *New York Times* (New York, New York) November 25, 2015.

scores in a teacher's evaluation. He proposed to increase the weight from 20 to 50 percent, while reducing the weight of principal evaluations.⁷⁸

NYSUT, the New York State teachers' union, became a critical actor in the fight against the new teacher evaluation system. Teachers opposed the increased emphasis on test scores in their evaluations because they recognize the multitude of factors influencing a student's performance on a standardized test, many of which rest outside of the classroom.⁷⁹ In addition, the over-reliance on a standardized test and set of standards that teachers had very little time to phase into their classrooms placed them in a difficult situation.

Many of these points were brought to light in the Common Core Task Force's Report. Recognizing the improper rollout, the task force recommended that until the start of the 2019-2020 school year, results from the Common Core-aligned assessment would not be used to evaluate teachers. Rather, test results will be used simply as a measure of progress.⁸⁰ This coming just 11 months after Governor Cuomo announced his plan to weight student test scores as 50 percent of a teacher's evaluation.

The Common Core Task Force's Report outlines how to go about making critical improvements to the current system by offering a set of 21 recommendations. The 21 recommendations are broken down into three categories, being: (1) Establish new high quality New York standards, (2) Develop better curriculum guidance and resources, and (3) Significantly reduce testing time and preparation and ensure tests fit curriculum and standards.⁸¹ By placing a moratorium on test scores in the teacher evaluation system and allotting more time

⁷⁸ Elizabeth A. Harris, "Cuomo Gets Deals on Tenure and Evaluation of Teachers," *New York Times*, (New York, New York) March 31, 2015.

⁷⁹ Kate Taylor and Motoko Rich, "Teachers' Unions Fight Standardized Testing, and Find Diverse Allies," *New York Times* (New York, New York) April 20, 2015.

⁸⁰ The State of New York, *Common Core Task Force Report*, December 10, 2015.

⁸¹ The State of New York, *Common Core Task Force Report*, December 10, 2015.

for proper implementation of the standards, the Common Core Task Force strives to prevent any future implementation failures. They clearly state in their report, “To reiterate: the Task Force believes in high-quality education standards and accountability in education, but the current system needs to be overhauled. In order to finally get the system right there must be adequate time to implement the system.”⁸²

There is great merit in the idea of ensuring an equal education across all states by employing a common set of high quality academic standards throughout the nation. As Assemblywoman Woerner points out, there is value in adopting a national set of standards because we have a very mobile society.⁸³ Students moving to a different state would not have to worry about falling behind academically because the common standards would ensure similarity. Most importantly, creating a set of academic standards aimed at developing critical thinking skills and increasing overall student achievement is something few will object to. As Mr. Doe explains, you will never have a teacher object to higher standards.⁸⁴ The Common Core standards are likely here to stay, but the way in which the standards manifest themselves in classrooms is what will likely change.

IV. What Factors Led to the Overhaul?

The second half of my research question aims to identify the key actors and events contributing to the decision to overhaul the Common Core in New York. In January 2015, Governor Cuomo announced his plans to continue moving forward with the Common Core and to increase the weight of student test scores in teacher evaluations. In September 2015, Governor

⁸² The State of New York, *Common Core Task Force Report*, December 10, 2015, 9.

⁸³ Interview Two, New York Assemblywoman Carrie Woerner, January 14, 2016.

⁸⁴ Interview One, Public school teachers in Ballston Spa Central School District, January 8, 2016.

Cuomo announced his plans to issue a thorough investigation of the policy and its implementation throughout the state. What occurred during those nine months that led to a complete reversal in opinion? As a result of my research, I have boiled it down to the election of new, more education-oriented members in the Board of Regents and the monumental testing “opt-out” movement. These two events stimulated greater political involvement amongst different actors, most notably amongst the teachers’ union and parents, which I believe shaped the course of the policy in a significant way.

A. Membership change within the Board of Regents

One of the notable changes occurring in 2015 was the shift in both membership and leadership on the Board of Regents, the overarching oversight body for New York’s education system. The Board of Regents controls New York’s Education Department and serves as the equivalent of a school board, but on a statewide level. The Board is comprised of 17 members elected by the state legislature for five-year terms. There is one member per each of New York’s thirteen judicial districts, as well four members who serve at large.⁸⁵

Members of the Board of Regents generally have some kind of tie back to education, allowing them to serve; however, some of the members leaving the Board in 2015 due to the ending of their term had stronger business ties in their background.⁸⁶ Assemblywoman Woerner explains that the state legislature can influence education in two ways: one being through the budget, and the other being through the election of the Regents.⁸⁷ In 2015, the Regent

⁸⁵ New York State Education Department, “Board of Regents,” accessed March 16, 2016, <http://www.regents.nysed.gov/about>.

⁸⁶ Interview One, Public school teachers in Ballston Spa Central School District, January 8, 2016.

⁸⁷ Interview Two, New York Assemblywoman Carrie Woerner, January 14, 2016.

representing the Assemblywoman's district would be coming to the end of his term, leaving the seat up for reappointment or for a new member to serve. She partnered up with two other members of the legislature from her district in hopes of electing a new member. Unlike the former Regent representing the district, the new Regent elected comes out of K-12 education, has served as both an administrator and superintendent, and is very interested in hearing from the community in regards to education issues.⁸⁸

Wanting to hear from the students themselves about the Common Core, Assemblywoman Woerner and the new Regent arranged round-table discussions in schools across their district. The general feedback gained from students and parents through these discussions is that the standards are not the issue of concern. Rather, it is the amount of testing administered and a lack of parental support available to accompany the changing curriculum.⁸⁹ Assemblywoman Woerner explains that the legislature is not comprised of educators. Therefore, in her opinion, they should not be responsible for making education policy. What they should be doing is ensuring the Board of Regents is staffed with individuals who are educators and are fully equipped to make those decisions.

Another momentous shift in the Board of Regents is the stepping down of Chancellor Merryl Tisch. Elected in 2009, Tisch was the acting chancellor during the rollout of the Common Core, fiercely advocating for higher standards and harder tests. She announced she would be stepping down in October 2015, coming just within a month after Governor Cuomo announced his plans to issue a thorough review of the standards.⁹⁰

⁸⁸ Interview Two, New York Assemblywoman Carrie Woerner, January 14, 2016.

⁸⁹ Interview Two, New York Assemblywoman Carrie Woerner, January 14, 2016.

⁹⁰ Elizabeth A. Harris, "Merryl Tisch, Board of Regents Chancellor, Is Stepping Down," *New York Times* (New York, New York) October 26, 2015.

On March 21, 2015, the Board of Regents elected Betty A. Rosa as their new chancellor. Dr. Rosa, in addition to being a former New York City principal and superintendent, has long been a critic of the new, more difficult tests rolled out to align with the Common Core introduced under former Chancellor Tisch. She has suggested that the tests were purposely designed for students to fail, which would allow policy makers to point out issues within education.⁹¹ Although the election did not directly contribute to the decision to overhaul the Common Core, the election of Dr. Rosa serves as an indication of the public disapproval with the Common Core rollout and, more specifically, the overemphasis on testing.

The shifts taking place within the Board of Regents over the past year represent the changes occurring within New York's education system. With more members coming from education backgrounds and a newly elected chancellor who takes a critical approach on testing, it represents a shift in focus amongst the state's education leaders. As I will discuss in the next section, this shift in the Board of Regents also largely stems from the growing public backlash against the Common Core's rollout.

B. The 'Opt-out' movement

Frustrations with the new Common Core-aligned examinations administered to students came to a head in spring of 2015. Concerns over the difficulty and appropriateness of the examinations, along with the amount of time the tests required caused thousands of parents across New York State to opt their children out of testing. As a protest to the tests, a significant number of parents kept their children home from school on the days the tests were administered.

⁹¹ Kate Taylor, "New York State Regents Elect Betty Rosa as Chancellor," *New York Times* (New York, New York) March 21, 2016.

At least 165,000 students opted out of at least one of the two standardized tests in 2015.⁹² This summated to approximately 1 in every 6 eligible students refusing to sit for the exams.

The opt-out movement was largely fueled by the support of the teachers' union and parent activism. Karen E. Magee, President of NYSUT, urged parents to have their kids opt out because it would serve as a jab to the newly designed teacher evaluations.⁹³ The involvement of parents against the standardized tests proved to be a momentous tipping point with the Common Core. To have as many students as they did refusing to sit for the exams sent a strong message to the Governor and the State Education Department that the public was simply not happy with how Common Core was manifesting itself in the classroom.

C. Common Core Overhaul: Influence Analysis

The decision to overhaul the Common Core represents the failure of a coercively implemented education policy. The failure of the federal government to achieve its objectives and maintain its influence over implementation is visible in the rise in power of more influential actors. Based on my analysis, I believe the greatest amount of influence came from the teachers' union and parents.

In dealing with issues in the Common Core's implementation, the teachers' union sought to address the problems by increasing their political involvement to advocate for what was in the best interest of the students. Mr. Doe describes the influence of the teachers' union at its lowest when the Common Core and the new teacher evaluations were first implemented. However, he notes that as Governor Cuomo's popularity decreased significantly as a result of the education

⁹² Elizabeth A. Harris and Ford Fessenden, "'Opt Out' Becomes Anti-Test Rallying Cry in New York State," *New York Times* (New York, New York) May 20, 2015.

⁹³ Elizabeth A. Harris and Ford Fessenden, "'Opt Out' Becomes Anti-Test Rallying Cry in New York State," *New York Times* (New York, New York) May 20, 2015.

policies he was pushing though, he believes the power of the teachers' union began to grow.⁹⁴ This increase in influence is partially due to the rise in political action carried out by the union, which Mr. Doe referred to as a period of "heightened involvement."⁹⁵ The political action took place in the form of television and billboard advertisements, rallies, and even a letter-writing campaign.⁹⁶ As described by Mr. Doe, teachers in his district camped out in the high school library for several days after school writing letters to various elected officials pushing what they felt were the best education policies for children. The goal of the union was to advocate for what would be best for the teachers, but what would be best for the students. They felt that the nature of the policies put in place around Common Core were not educationally sound. He confronts a common misconception about the union by expressing, "At no point was it really about, 'Oh I just want to protect my job.' It was about what's in the best educational interest of children. I think that some people get cynical and say, 'Oh, well union people are just looking out for their own job.'"⁹⁷ It is important to note that because this statement comes from an active member of the teachers' union, there is potential for a bias in favor of describing the unions as non-self interested.

However, a poll released by the Siena Research Institute in March 2015 revealed that the public sides with the teachers' union over Governor Cuomo in regards to deciding which education policies are in the best interests of their children. The poll release describes the results:

By a 50-41 percent margin, voters side with the teachers' unions – who say

⁹⁴ Interview One, Public school teachers in Ballston Spa Central School District, January 8, 2016.

⁹⁵ Interview One, Public school teachers in Ballston Spa Central School District, January 8, 2016.

⁹⁶ Interview One, Public school teachers in Ballston Spa Central School District, January 8, 2016.

⁹⁷ Interview One, Public school teachers in Ballston Spa Central School District, January 8, 2016.

increasing and providing fair funding to school districts is what's needed to improve education – over Cuomo, who is pushing to change the teacher evaluation system to improve education. Republicans and independents are closely divided, while Democrats clearly side with the teachers' unions.⁹⁸

These results indicate the growing support for and trust placed in the teachers' unions in developing the most educationally sound policies. The union served as a clear leader for parents in the movement against the Common Core, which proved to be quite significant. The change in membership in the Board of Regents to more members advocating for the students' interests ultimately reflects the great influence of the parents and the union had in this policy change.

The public backlash against the Common Core, culminating in the massive testing opt-out movement in spring of 2015, played a pivotal role in the overhaul of the policy. In this case, the parents serve as direct representations of the children, the group most affected by the Common Core's implementation. They are the constituents, which is why I believe the leverage of parents is much stronger than any other group in this scenario. Jay P. Greene, in his article entitled, "Buckets into Another Sea," explains why education foundations have failed in bringing reform to education.⁹⁹ His explanation can be applied to explain why the teachers' union and parents in New York have succeeded in changing the direction of the Common Core. He argues that in order for foundations to succeed in bringing about broad change, they need "self-sustaining strategies that both redirect public resources in support of their policy objectives and create and organize new constituents who can fight to expand and protect changes independent of foundation support."¹⁰⁰ By advocating for the rights of the students, the teachers' union helps mobilize parents in demanding change. This then trickles down to the students themselves.

⁹⁸ Siena Research Institute, "SNY March 2015 Poll Release," March 23, 2015, 2.

⁹⁹ Jay P. Greene, "Buckets into Another Sea," in *The New Education Philanthropy*, ed. Frederick M. Hess and Jeffrey R. Henig (Cambridge: Harvard Education Press, 2015).

¹⁰⁰ Jay P. Greene, "Buckets into Another Sea," 14.

Parents choosing to have their children opt out of standardized testing sends a stronger message than any kind of advocacy group could project because when around 20 percent of students—the key constituency—takes an active stance against a policy, it cannot go unheard. It becomes larger than a political issue when a significant portion of parents keeps their children from taking the state-authorized standardized test. Advocating for the best interests of students united the teachers’ union with parents, forming a coalition with a great deal of power and influence.

Greene’s argument additionally shows why education advocacy groups’ influence waned as the Common Core began to see problems in its implementation. Like teachers’ unions, private organizations do not have the power to create policy. Private organizations aimed to create education reform can only really offer ideals and money. Their influence is limited because they are not redirecting public resources or mobilizing more parents and students, but rather putting more money into the policy-making process to influence change at a higher level. This method is not successful long-term because it is not self-sustaining. Ideas are projected, but not in a contextual manner, elevated by the attachment of financial incentives.

Assemblywoman Woerner thoughtfully compares the education reformers’ approach to drinking tart, concentrated cherry juice. They took education reforms from organizations, such as the Gates Foundation, but did not mix the reform with people with an education background who “could take the decent kernel of an idea and then apply it in an education context in a way that would be successful.”¹⁰¹ She explains the analogy further:

Instead, what the education advocacy groups did was they basically said, “Here’s your glass of unadulterated cherry juice; now swallow it, and I’m [going to] stand here until you do. By the way, if you do, then I’m [going to] give you a thousand dollars.” Everybody was like, okay, I’m [going to] hold my nose and swallow the cherry juice because I want my thousand dollars...It’s not rocket science why it failed. Did they have a decent kernel of an idea? Yeah, not bad, but un-

¹⁰¹ Interview Two, New York Assemblywoman Carrie Woerner, January 14, 2016.

contextualized it was like straight cherry juice. Good for you, but really crappy tasting.

I spoke with the executive director for High Achievement NY, an advocacy group created in 2014 as a way to mobilize groups in support of the Common Core. They do not take part in political action, but rather emphasize advocacy communication and stakeholder engagement, seen in the form of roundtable events, surveys, reports, and op-eds.¹⁰² With the goal to simply continue to conversation about Common Core, it targets the right group of people-the public-but their influence will remain limited when promoting for policy rather than people.

A portion of the private organizations during this wave of education reform has been working towards the growth of charter schools throughout the state. Private money has been used to support the development of charter schools in New York. Governor Cuomo has generously received the support of private organizations and has furthered efforts to develop the presence of charter schools, such as making it easier for organizations to obtain free space in New York City and voicing support for a bill that would offer tax credits to individuals and corporations who donate to public schools or to scholarship programs that help poor and middle class students attend a private school.¹⁰³ The plan to increase the number of charters in New York largely stemmed from Race to the Top. Many private organizations supporting charter schools also advocate for a Common Core implementation that aims to increase the weight of test scores in teacher evaluations.¹⁰⁴ I think that is the extent of their influence in regards to the Common Core's rollout. They have no real authority in the implementation, except for their ability to preach a specific agenda and to donate great sums of money.

¹⁰² Interview Four, Executive Director of High Achievement NY, January 14, 2016.

¹⁰³ Kate Taylor, "Cuomo's Education Agenda Sets Battle Lines with Teachers' Unions," *New York Times* (New York, New York) January 20, 2015.

¹⁰⁴ Kate Taylor, "Bloomberg Is No Longer Mayor, but His Schools Agenda Thrives in Albany," *New York Times* (New York, New York) July 29, 2015.

The overhaul of the Common Core and the recommendations presented in the Common Core Task Force Report ultimately reflect the interests of the parents and the teachers' union. Because of this, it furthers the argument that those two groups exerted the greatest amount of influence in the overhaul of the policy and its future in New York. The standards are here to stay, but the way in which they will exist in classroom and they way in which they will be assessed will likely see meaningful change in the coming years.

V. The Future of Common Core and Broader Policy Implications

A. Future of Common Core

The Common Core Standards have made their place in education and are likely here to stay. The root of the Common Core is the establishment of a set of rigorous academic standards to be implemented on a national scale in order to ensure quality education for students in all states in the effort to close the achievement gap and prepare students for the competitive world. In speaking with individuals closely tied to education, there is little issue with the standards, themselves. The Common Core standards are designed to enhance students' education by developing critical thinking skills, but how to properly implement the standards has yet to be perfected. The key to successful implementation lies primarily at the local level. New York public school district superintendent, Dan Johnson, believes the Common Core was successfully implemented in his district. He attributes its success to his district's ability to adapt and integrate the standards within the known constraints of the district.¹⁰⁵ By being "really flat and less vertical" in the district with its adoption, meaning by instituting a process of collaboration and

¹⁰⁵ Interview Three, New York public school superintendent, January 11, 2016.

revision within each school as opposed to a top-down approach, he saw his district excel. Keeping the policy localized and tailoring it to fit the individual needs of each district can allow a policy to flourish.

In order for districts to construct the best curriculum and methodology when adopting the Common Core, making sure districts are allotted enough time for implementation will truly determine success. The major issue with the rollout of the Common Core in New York is that it was simply rushed. It needed time to work its way into curriculum and give teachers the chance to become properly situated with not just the standards, but how the standards would be tested. The Common Core Task Force report's recommendation for issuing a 4-year moratorium on using student tests scores for anything other than policy revision and improvement speaks to this idea of instituting a more thoughtful implementation strategy.

My research pertains specifically to New York's experience with Common Core. The failures associated with the Common Core can be potentially be generalized amongst states that held a functioning and rigorous system of academic standards and assessments prior to the Common Core. Generalization could also be made amongst states that implemented the standards as a result of Race to the Top. Logistical implementation failures (i.e. improper amount of time given to rollout standards) will be more specific to individual states, but issues with the policy's plan to solve a fundamental problem, the achievement gap, speaks to the limitations of coercive federalism, which can be across all states.

Moving forward in education, we will see a shift in authority from the federal government and back to the states. President Obama signed the Every Student Succeeds Act (ESSA) into law on December 10, 2015, reauthorizing the Elementary and Secondary Education

Act.¹⁰⁶ It serves as a rewrite of the No Child Left Behind Act, returning power to states and local districts in determining how to improve schools.¹⁰⁷ The new law “will maintain the mandatory standardized testing in reading and math established by the Bush-era law, but leave it up to state and local officials to set their own performance goals, rate schools and determine how to fix those that fail to meet their objectives.”¹⁰⁸ In addition, the federal government cannot require tests to be used in teacher accountability. Overall, the signing of this bill into law signals the shift back to the states in determining how to best move forward in producing academic achievement for its students.

B. Policy Implications

Moving forward with education policy, I believe states will maintain greater authority over the federal government as the Common Core brought to light the severe limitations of coercive federalism. The rushed implementation of the Common Core in New York came from the state attempting to adopt a policy without allotting enough time for it to be properly phased in. Better results are likely to be seen as the policy continues to progress because more and more students are going to be assessed in a methodology they have grown up using. Assemblywoman Woerner notes that especially early grades, including grades K-4, are seeing positive results with the Common Core standards, which is largely due to the fact that they have known no other form

¹⁰⁶ U.S. Department of Education, “Every Student Succeeds Act,” accessed March 7, 2016, <http://www.ed.gov/essa?src=rn>.

¹⁰⁷ Julie Hirschfield Davis, “President Obama Signs Into Law a Rewrite of No Child Left Behind,” *New York Times* (New York, New York) December 10, 2015.

¹⁰⁸ Julie Hirschfield Davis, “President Obama Signs Into Law a Rewrite of No Child Left Behind,” *New York Times* (New York, New York) December 10, 2015.

of curriculum or instruction.¹⁰⁹ Success will continue to rise as time goes on and teachers determine how to best integrate the standards into classroom instruction.

Unlike the rigid nature of coercive federalism, allowing education policy to address more localized issues will truly allow for it to succeed in the future. The implementation of the Common Core represented a more top-down model, which ends up overlooking a lot of smaller issues. By keeping policy local, it allows for opinions to be heard, revisions to be made, and academic achievement to be seen. When asking the superintendent of the biggest change he has noticed in education over the past 5-10 years, he noted the over-reliance on legislative solutions to solve incredibly complex problems.¹¹⁰ When policy makers feel as though they have created a solution set without understanding what is going on the field, whether at a federal or local level, it overlooks a variety of other factors that come into play. A one-size-fits-all solution to closing the achievement gap will never succeed. Although the federal government's role of instituting redistributive policies to address larger social issues, some policies require greater authority be left to state and local governments. Ensuring the success of all students will require a comprehensive approach-one that integrates both school and community. Discrepancies within student achievement will not be fully eliminated from efforts within the classroom. In moving forward with education policy, keeping the best interests of the children in mind will put schools on the path to success.

¹⁰⁹ Interview Two, New York Assemblywoman Carrie Woerner, January 14, 2016.

¹¹⁰ Interview Three, New York public school superintendent, January 11, 2016.

Bibliography

- Bowling, Cynthia J., and J. Mitchell Pickerill. "Fragmented federalism: The state of American federalism 2012–13." *Publius: The Journal of Federalism* (2013): pjt022.
- Common Core State Standards Initiative. "About the Standards," accessed January 6, 2016, <http://www.corestandards.org/about-the-standards/>.
- Common Core State Standards Initiative. "Development Process," accessed January 6, 2016, <http://www.corestandards.org/about-the-standards/development-process/>.
- Davis, Julie Hirschfield. "President Obama Signs Into Law a Rewrite of No Child Left Behind." *New York Times* (New York, New York) December 10, 2015.
- Greene, Jay P. "Buckets into Another Sea." In *The New Education Philanthropy*, edited by Frederick M. Hess and Jeffrey R. Henig, 11-28. Cambridge: Harvard Education Press, 2015.
- Harris, Elizabeth A. "Cuomo Gets Deals on Tenure and Evaluation of Teachers." *New York Times* (New York, New York) March 31, 2015.
- Harris, Elizabeth A. "Merryl Tisch, Board of Regents Chancellor, Is Stepping Down." *New York Times* (New York, New York) October 26, 2015.
- Harris, Elizabeth A. and Ford Fessenden, "'Opt Out' Becomes Anti-Test Rallying Cry in New York State." *New York Times* (New York, New York) May 20, 2015.
- Kincaid, John. "Contemporary US federalism: Coercive change with cooperative continuity." *Revista d'estudis autonòmics i federals* 6 (2008): 10-36.
- Kincaid, John. "From cooperative to coercive federalism." *The Annals of the American Academy of Political and Social Science* (1990): 139-152.
- Layton, Lyndsey. "How Bill Gates pulled off the swift Common Core revolution." *The Washington Post* (Washington, D.C.) June 7, 2014.
- Manna, Paul. *School's In*. Washington, D.C.: Georgetown University Press, 2006.
- Moe, Terry M. "Teachers unions and the public schools." *A primer on America's schools* (2001): 151-183.
- New York State Education Department. "Board of Regents." Accessed March 16, 2016. <http://www.regents.nysed.gov/about>.
- New York State Education Department. "New York State: Race to the Top," January 19, 2010.

NYC Department of Education. "Standards."

<http://schools.nyc.gov/Academics/CommonCoreLibrary/About/Standards/default.htm>.

New York State United Teachers, "About Us." Accessed January 6, 2016.

<http://www.nysut.org/about>.

Peterson, Paul E. "Who should do what? Divided responsibility in the federal system." *The Brookings Review* 13, no. 2 (1995): 6.

Pinder, Kamina Aliya. "Federal Demand and Local Choice: Safeguarding the Notion of Federalism in Education Law and Policy." *JL & Educ.* 39 (2010): 1.

Ravitch, Diane. *Reign of Error*. New York: Vintage Books, 2013.

Reckhow, Sarah. *Follow the Money*. New York: Oxford University Press, 2013.

Reckhow, Sarah, and Jeffrey W. Snyder. "The expanding role of philanthropy in education politics." *Educational Researcher* 43, no. 4 (2014): 186-195.

Robinson, Kimberly Jenkins. "The High Cost of Education Federalism." *Wake Forest L. Rev.* 48 (2013): 287.

Strauss, Valerie. "The big business of charter schools." *Washington Post* (Washington D.C.) August 17, 2012.

Taylor, Kate. "Bloomberg Is No Longer Mayor, but His Schools Agenda Thrives in Albany." *New York Times* (New York, New York) July 29, 2015.

Taylor, Kate. "Cuomo's Education Agenda Sets Battle Lines with Teachers' Unions." *New York Times* (New York, New York) January 20, 2015.

Taylor, Kate. "Cuomo, in Shift, is said to Back Reducing Test Scores' Role in Teacher Reviews." *New York Times* (New York, New York) November 25, 2015.

Taylor, Kate. "Merryl Tisch, Board of Regents Chief Who Set Off Testing Backlash, Reflects on her Tenure." *New York Times* (New York, New York) March 10, 2016.

Taylor, Kate. "New York State Regents Elect Betty Rosa as Chancellor." *New York Times* (New York, New York) March 21, 2016.

Taylor, Kate. "Success Academy Gets \$8.5 million to Add Charter Schools in New York City." *New York Times* (New York, New York) July 30, 2015.

Taylor, Kate and Motoko Rich, "Teachers' Unions Fight Standardized Testing, and Find Diverse Allies." *New York Times* (New York, New York) April 20, 2015.

- Siena Research Institute, "SNY March 2015 Poll Release." Mar. 23, 2015.
https://www.siena.edu/assets/files/news/SNY_March_2015_Poll_Release_--_FINAL.pdf.
- The State of New York, *Common Core Task Force Report*, December 10, 2015.
- The State of New York, "Governor Cuomo Announces Launch of Common Core Task Force," last modified September 28, 2015. <https://www.governor.ny.gov/news/governor-cuomo-announces-launch-common-core-task-force#transcript>.
- Tucker, M., 2012. A different role for teachers unions. *Education Next*, 12(1).
- U.S. Department of Education. "Every Student Succeeds Act." accessed March 7, 2016,
<http://www.ed.gov/essa?src=rn>.
- U.S. Department of Education. "John B. King, Jr., Secretary of Education-Biography." Accessed March 7, 2016. <http://www2.ed.gov/news/staff/bios/king.html?src=hp>.
- U.S. Department of Education. "Phase Two Award Letters." September 24, 2010,
<http://www2.ed.gov/programs/racetothetop/phase2-awards/new-york.pdf>.
- U.S. Department of Education. "Race to the Top Program Executive Summary." November 2009, <http://www2.ed.gov/programs/racetothetop/executive-summary.pdf>.
- Wong, Kenneth K. "Federalism revised: The promise and challenge of the No Child Left Behind Act." *Public Administration Review* 68, no. s1 (2008): S175-S185.