



# **Joel Klein and the New York School Accountability Model**

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Joel Klein is a lawyer who graduated from Harvard Law School in 1971. He had no background in education prior to his appointment as Chancellor of the New York City Department of Education.

He practiced law in Washington for twenty years, after which he worked in the Clinton Whitehouse, serving as Deputy Counsel to President Clinton from 1993 to 1995. From 1997 to 2001 he served as Assistant Attorney General in charge of the US Department of Justice's anti-trust division and was involved in prosecuting the anti-trust case against Microsoft. From 2001 to 2002 he was chairman and chief executive officer of Bertelsmann Inc, one of the world's largest media companies.

Joel Klein was appointed Chancellor of the New York City Department of Education in 2002 by Mayor Michael Bloomberg, a strong supporter of No Child Left Behind (NCLB) and the imposition of test based accountability measures on schools.

## **The “Children First” reform agenda and the A – F School “Progress Report” Regime**

Klein calls his reform program “Children First”. He claims to aim at improving education outcomes by making schools more accountable for their teaching methods by using a business surveillance, performance and development model based on supposedly measurable data to drive improvement.

Central to it is a system of public Progress Reports which grade each school, whether elementary, middle or high schools, with an A, B, C, D, or F (but not E). The system was introduced in the 2006-07 school year.

These grades are based on three areas of school life:

- the school environment, worth 15%. This is based on attendance rates and the results of questionnaires completed by parents, teachers and students on areas such as how well the school communicates with them, bullying, drug, alcohol and similar issues, safety and respect and perceptions of school leadership;
- student performance, worth 25%, based upon test scores in the New York State tests in elementary and middle schools,<sup>1</sup> and upon diplomas and graduation rates in high school;
- student progress, worth 60%, based upon student progress or otherwise from one year to the next measured by New York State tests in English, the arts and maths for elementary and middle schools, and by credit accumulation and how many Regents tests (state exams that give credit towards a high school diploma) students pass in high schools.

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<sup>1</sup> New York state tests are completed by all students in elementary and middle schools every year from Grade 3 onward.

The rationale behind the 60% of the overall grade allocated to student progress is that it measures what improvements schools produced in students rather than simply their level of overall achievement, which can be based on factors such as student background and cohort.

A school's results in each area is compared to results of all schools throughout the City. Results are also compared to a supposed "peer group" of up to 40 similar schools. Schools can also earn additional credit in the *Exemplary Student Progress* category when they help special education students, English Language Learners, and other high-need students make exemplary progress.

The breakdown of school grades allocated for 2006-07 is as follows;

A: 279 schools (23%)

B: 461 schools (38%)

C: 321 schools (25%)

D: 99 schools (8%)

F: 50 schools (4%)

## **The Quality Review Score**

In addition to the Progress Report system, New York also has a separate accountability score called a *Quality Review Score*, based on a review of the school by an experienced educator.

The Quality Review Score is evaluated on a three point scale: Well Developed, Proficient, and Undeveloped based upon a number of factors including "...the quality of efforts taking place at the school to track the capacities and needs of each student, to plan and set rigorous goals for each student's improved learning, to focus the school's academic practices and leadership development around the achievement of those goals, and to evaluate the effectiveness of plans and practices constantly and revise them as needed to ensure success."<sup>2</sup>

The Quality Review Score is not included in Progress Report Grade, but is taken into account as a separate indicator in determining a school's future.

## **Consequences**

Schools that earn As and Bs on their Progress Reports will be eligible for financial rewards, and will be expected serve as demonstration sites for other schools, unless they perform poorly in the Quality Review Score.

Schools that receive an overall grade of D or F will be subject to school improvement measures and target setting and, if no progress is made over time, possible leadership change, restructuring, or closure. The same is true for schools receiving a C for three years in a row.

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<sup>2</sup> New York City Department of Education. *High School Progress Report Educator's Guide*. P. 4  
[http://schools.nyc.gov/NR/ronlyres/DF48B29F-4672-4D16-BEEA-0C7E8FC5CBD5/27498/EducatorGuide\\_HighSchool.pdf](http://schools.nyc.gov/NR/ronlyres/DF48B29F-4672-4D16-BEEA-0C7E8FC5CBD5/27498/EducatorGuide_HighSchool.pdf)

The school's Quality Review score of Well Developed, Proficient, or Undeveloped is also taken into account in considering leadership change or closure.

Schools marked for closure are usually phased out over several years, not accepting new students but allowing enrolled students to continue while phasing out the grades under them. At least eleven schools are presently undergoing this process. Schools that receive an F for a number of years running are likely to be closed. It is envisaged that many of these will re-open as small high schools or charter schools.

## **Other Changes**

Other changes underway or envisaged by Klein include devolution of funding to schools, challenges to the concept of teacher tenure, pay bonuses for teachers at schools with improved report cards, a "back to basics" approach to literacy, expanded external test programs and even a plan to pay students for improved marks.

## **Opposition and Outcomes**

A previous AEU paper discussed the consequences of NCLB as a whole. These include a narrowing of the curriculum, the exclusion from the educational system of students seen as low performing to stop them adversely affecting a school's "performance", suspending such students during tests and farming them prematurely into special education streams, an actual increase in high school drop-out rates particularly amongst minority students, a focus upon "bubble" students who are on the cusp of meeting the requirements to the detriment of both higher and lower achieving students, a prevalence of systematic cheating by schools, states and teachers, increased stress levels amongst both teachers and students, erosion of the teacher pool due to problems with retention and recruitment, unfair and unprofessional treatment of teachers in schools deemed "underperforming" and a lack of evidence that NCLB has led to educational improvement.<sup>3</sup>

Specifically in the context of the Klein reforms, criticism has come strongly from a number of elements, including the communities the reforms are supposedly aiming at helping. Parents and communities associated with closing schools have complained that their communities have been adversely affected by projected school closures, narrowing rather than expanding educational options for students from disadvantage communities, and that what students often see as positives about a school are ignored in a narrow and unfair process. There have also been complaints that valuable community facilities of closing schools are being turned over to the new charter schools not integrated or accountable to the local community in the manner the previous school had been.

The process has been accused of producing bizarre results, with schools with consistently high grades achieving poorly due to their failure to continue to increase grades year by year, of schools veering between an A and an F in a single year, of schools achieving widely and of differing outcomes under the New York model and NCLB assessments.

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<sup>3</sup> *National Testing, League Tables and School Performance Accountability*. AEU paper, August 2008. pp. 5-8  
<http://www.aefederal.org.au/Publications/natestingpap.pdf>

A group called *NYC Public School Parents* has strongly opposed the Klein agenda, pointing to the irrationalities of a system based on a narrow range of indicators to reach a single grade and which produces such large year to year fluctuations. It has also accused Klein of running the education department “like a ruthless dictatorship”, of failing to listen to parents or the community, of ignoring overcrowded schools and refusing to reduce class sizes, of failing to build or update buildings or facilities, of unnecessarily increasing the educational bureaucracy to support his program, and of manipulating the figures in attempts to make his program look successful.

“The only educational philosophy of those running the system is based on trying to improve standardized test results, no matter how much cheating and test prep that involves. Whatever the rise in state test scores that has resulted is not matched by improvements in the more reliable national assessments called the NAEPs. In fact, NYC was 11<sup>th</sup> out of 12 urban school districts in terms of its gains in the NAEPs over the course of this administration, and there has been no closing of the achievement gap in any subject tested.”<sup>4</sup>

Perhaps most significantly of all, however, is the evidence that the changes have completely failed in their purported aims of improving student outcomes, decreasing educational inequality or closing the gap between white and minority students.

In November 12 2008 Save Our Schools released an excellent paper by Trevor Cobbold that analysed school achievement under the Klein reforms.<sup>5</sup> The report analyses achievement by both New York State Tests and Regents tests and the more independent National Assessment of Educational Progress (NAEP) a long standing national program which has been systematically collecting information since the Nixon administration.

“National tests in reading and mathematics show that average student achievement in New York City schools has mostly stagnated since Klein took charge while state tests show a mixture of small increases and declines.

“The National Assessment of Education Progress (NAEP) tests conducted by the US Department of Education show no statistically significant change in average student scores for reading in Grades 4 and 8 between 2003 and 2007 in New York City [Lutkus, Grigg & Donahue 2007; Lutkus, Grigg & Dion 2007]. They show a small improvement in Grade 4 mathematics but no improvement in Grade 8.

“Despite Klein’s claims, there was no general improvement for disadvantaged students. There was no improvement in average reading scores for low income, Black and Hispanic students in either Grade 4 or 8. There were small improvements in average mathematics scores in Grade 4 for low income, Black and Hispanic students. In Grade 8 mathematics there was no improvement for Black and Hispanic students, but a slight improvement for low income students.

“Scores for New York City students on the New York State Department of Education tests are just as unconvincing about improved achievement as the national tests.”<sup>6</sup>

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<sup>4</sup> NYC Public School Parents. *Our Letter to Obama About Joel Klein*.

<http://nycpublicschoolparents.blogspot.com/2008/11/our-letters-to-obama-about-joel-klein.html>

<sup>5</sup> Cobbold, T. New York is Not Working. An Analysis of Student Test Results in New York City. Save Our Schools.

<http://soscanberra.com/media-releases/new-york-is-not-working>

<sup>6</sup> Ibid. p. 3

The paper found that average scores in reading and mathematics have mostly stagnated since 2003, with virtually no improvements for Black, Hispanic and low income students. The reforms have also been unsuccessful in addressing disadvantage, with “...little or no change in the difference in average scores between Black and White students, Hispanic and White students and low income and other students in New York City since 2003.”<sup>7</sup>

The report cites several artifices that Klein and his supporters use to claim achievement has improved, including using the wrong base year for comparison, failing to report margins of statistical error, using proficiency gaps, (which can give a false perception of differences between groups of students because they can be declining while gaps in average scores are increasing) rather than achievement gaps to indicate changes in the gaps between groups of students, and citing state test data which is less reliable than the results of national tests. There are significant discrepancies between state and national test results and the long standing NAEP Federal Program is widely considered to be the most reliable.

Despite the claims of Julia Gillard, the New York model has not produced “remarkable outcomes”, and emulating it will not address the issues of inequity and achievement in the Australian education system.

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<sup>7</sup> *Ibid.* p. 2