August 2025

Issue Brief

Shortsighted Vision: How the NYS Regents' Equity Agenda Distorts Public Education

Roberta Rubel Schaefer, PhD

President Emerita, Worcester Regional Research Bureau
Member, Massachusetts Board of Education (1996–2007)

Introduction

In November 2024, the New York State Board of Regents issued the "Vision to Transform New York State Graduation Requirements," a plan for high school education reform. To understand the context for this reform, it is first important to understand New York's levels of student performance and state education spending, as well as a brief history of the state's Regents exams.

According to a January 2025 report from the Citizens Budget Commission (CBC), New York State's per-pupil spending ($36,293) is higher than that of any other state in the U.S. and double the national average ($18,461).[1] Yet student performance on the 2022 National Assessment for Educational Progress (NAEP, sometimes called "The Nation's Report Card"), the one common test taken by students across the nation, was slightly below the national average.

The combination of high education spending and mediocre student outcomes is nothing new for New York. The state has led the nation in per-pupil spending for two decades, with expenditures rising 21% between the 2020–21 and 2023–24 school years. The CBC report was unflinching in its criticism on this point:

> Continuing to shovel more and more money every year to districts without fundamentally questioning this status quo behavior will not solve this problem…. It is well past time for the state to improve student outcomes and ensure that schools' vast resources meet the needs of students by improving oversight to identify what is not working, fine-tuning interventions to ensure their effectiveness, and holding districts accountable when schools fail to deliver results.[2]

The CBC report included several other findings worth noting:

- New York spends more than other states on almost every aspect of K–12 public education—including teacher salaries, benefits, and pensions; school construction; services for immigrants and English language learners; and electrification of school buses.
- Overall, the state spends 91% more than the national average on K–12.
- Spending has continued to increase despite a 7.7 % decrease in public school enrollment over the past decade (from 2.66 million students in 2013 to 2.45 million in 2024).
- On the 2022 NAEP exam, New York's fourth-grade students ranked 32nd and 46th on reading and math, respectively. Eighth-grade students ranked 9th and 22nd on reading and math, respectively.
- In the wake of the Covid-19 pandemic, NAEP scores declined across the country, but New York's drop in scores was particularly steep. Nationwide, average fourth-grade reading and math scores fell by 3 points and 5 points respectively; in New York, they fell by 6 and 10 points.
- New York remains in the middle of the pack of states academically, even after statistically adjusting for the demographic profile of its students, such as the share living under the poverty line.[3]

As the CBC report explains, New York is an outlier in that its governor has no authority when it comes to the appointment of the Board of Regents or the Commissioner of Education. The former is appointed by a joint resolution of the state senate and assembly; the latter, in turn, is appointed by the Board of Regents. With 260 legislators selecting the state's education policymakers, without input from the governor, there is little public accountability for educational policy and student performance. Only one other state (South Carolina) lacks any gubernatorial authority over educational policy.

A Brief History of the New York Regents Exams

New York's Regents exams are among the oldest graduation benchmark tests in the nation.[4] Instituted in 1865 for students completing eighth grade, the Regents exams initially covered algebra, American history, elementary Latin, natural philosophy (what we now call natural science), and physical geography. By 1879, Regents exams were instead given at the high school level, and the number of subjects tested had expanded to 42, including, among other subjects, mental philosophy (psychology), moral philosophy, readings from classical authors, and Latin prose composition. In 1911, exams were added in Hebrew, economics, music theory, as well as in Spanish and Italian, perhaps to accommodate the new waves of immigrants.

For much of the 20th century, the Regents diploma was awarded to the highest-performing high school graduates, most of whom were headed for postsecondary education. Non-Regents students could earn other diplomas, including a vocational diploma as well as a local diploma.

Starting in 1979, the Board of Regents added a separate series of basic competency tests in core subjects, which were required for non-Regents students to earn a local diploma. In 1996, however, in an effort to raise overall standards and student achievement, the board abolished these competency tests and started phasing out the local diploma. In conjunction with the burgeoning national standards-based education reform movement, the board instead required all students to pass the regular Regents exams in at least four core subjects (English, math, science, and social studies). In addition, the board established a new set of learning standards in seven subject areas, which

were aligned with the Regents exams. (The board still reserved the Regents Advanced Diploma for those students who took additional credits in foreign languages, math, and science and passed Regents exams at higher levels.)

These changes went into effect shortly before the federal government's adoption of the No Child Left Behind Act (2001), which required states to adopt reading and math standards, align curricula and tests with those standards, determine from tests results which students were proficient as well as which schools and districts were making "adequate yearly progress" toward proficiency, and provide assistance to those schools and systems that were not meeting their targets.

Underperforming schools and systems were subject to federally mandated sanctions, such as the requirement to allow students to transfer elsewhere, adopt changes in staffing and curriculum, or even be shut down. The law also included an unrealistic requirement that 100% of students achieve proficiency by 2014.

Faced with a risk of federal intervention for not reaching their standards, many states adopted lower standards and easier tests, thus undermining the act's goal of improved student achievement. In response, the National Governors Association, the Council of Chief State School Officers, and state education policymakers joined to develop a set of stronger standards in English language arts (ELA) and math, known as the Common Core.

The Common Core standards provided specific skill benchmarks for each grade level. Third-graders, for example, were expected to "[r]ead grade-level prose and poetry orally with accuracy, appropriate rate, and expression on successive readings." At the time, there was extensive debate about whether these types of skill requirements were superior to the content-rich curricula developed by states like Massachusetts, which required recommending specific novels and poems.

Adoption of Common Core standards was voluntary, but the Obama administration offered financial incentives for states to adopt them under a competitive grant program, "Race to the Top."

In 2011, New York was among 45 states to adopt pre-K–12 Common Core Learning Standards in ELA and math. Enthusiasm for Common Core faded rather quickly, partly because of the difficulty in understanding the program and the lack of administrative consequences for not implementing it.[5] In New York, in response to a 2015 boycott of Common Core tests by a considerable number of students, Governor Andrew Cuomo called for the standards to be revised, resulting in the 2017 issuance of the revised "Next Generation Learning Standards."

At the same time, the state's Board of Regents was considering a larger change to the state's system of high school diplomas. Amid the new nationwide emphasis on so-called equity, the board determined that requiring students to pass four Regents exams—which many students could not do—should be reevaluated.

Culturally Responsive-Sustaining Education

In 2018, a panel of education professors, teachers, and administrators chosen by the Board of Regents released a report, "Culturally Responsive-Sustaining Education."[6] The goal of the report was to offer a framework to "help education stakeholders create student-centered learning environments that affirm cultural identities; foster positive academic outcomes; develop students' abilities to connect across lines of difference; elevate historically marginalized voices; and empower students

as agents of social change to redress historical and contemporary oppression."[7] In the judgment of the panel, a focus on "cultural identity" in education was necessary to make education more "relevant" for minority populations, and it would ultimately result in higher student achievement. The recommendation to focus on cultural identity was later adopted by the state. According to the report:

> A complex system of biases and structural inequities is at play, deeply rooted in our country's history, culture, and institutions. This system of inequity—which routinely confers advantage and disadvantage based on linguistic background, gender, skin color, and other characteristics—must be clearly understood, directly challenged, and fundamentally transformed. The New York State Education Department has come to understand that the results we seek for all our children can never be fully achieved without incorporating an equity and inclusion lens in every facet of our work. This understanding has created an urgency around promoting equitable opportunities that help all children thrive. New York State understands that the responsibility of education is not only to prevent the exclusion of historically silenced, erased, and disenfranchised groups, but also to assist in the promotion and perpetuation of cultures, languages and ways of knowing that have been devalued, suppressed, and imperiled by years of educational, social, political, economic neglect and other forms of oppression.[8]

According to the authors of the report, Culturally Responsive-Sustaining Education means subjecting students to "high expectations" and ensuring that they receive "rigorous instruction." But it is hard to see how those commitments can be squared with the insistence that students be "co-designers of curriculum," which should involve "student-led civic engagement; critical examination of power structures; project-based learning on social justice issues; and student leadership opportunities."[9]

In this understanding of education, the chief aim is not the transmission of knowledge but rather training students to be agents of change who will learn how to challenge and dismantle the existing, allegedly unjust, American power structure and replace it with a more equitable one.

Commission on Graduation Measures

After NYSED released "Culturally Responsive-Sustaining Education," the Board of Regents appointed the "Blue Ribbon Commission on Graduation Measures," which released its recommendations in November 2023.[10] In June 2024, NYSED announced its "vision to implement" those recommendations,[11] followed in November of that year by a more detailed timeline for implementation.[12] The reform, according to the board's chancellor, was intended to ensure "equity and excellence" for all students:

> Building on the Regents' and Department's shared commitment to diversity, equity, and inclusion, and with a foundation rooted strongly in the Culturally Responsive-Sustaining Education Framework, the initiative was developed to: (1) create true equity in New York State's public education systems, and (2) ensure that all New York students gain the knowledge and skills necessary to succeed in school and after they graduate.[13]

Notably, this statement identifies "equity," as well as "diversity, equity, and inclusion," as the core principles of the state's approach to education. In ordinary language, "equity" means fairness: treating every individual in a way that enables him/her to maximize his/her talents and opportunities. But as commonly used in educational circles, equity means minimizing the opportunity for some students, by virtue of talent or application, to do better than others, just so that everyone comes out equal.

This view of equity is the driving force behind efforts to challenge programs for gifted and talented students. For example, in New York City, there has been a strong movement calling for the elimination of the entrance exam for specialized high schools like Stuyvesant and Bronx Science because there are not enough members of certain minorities who score highly enough to be admitted. One equity-minded proposal is to instead admit top students proportionately from different geographic areas of New York City. Of course, that would simply disadvantage high-scoring students who are unlucky enough to live in areas where the competition is toughest—including many Asian American students living in nonaffluent neighborhoods.

The dominant view of equity as understood by the educational community is illustrated in *Grading for Equity*, by Joe Feldman, a school principal–turned consultant.[14] Feldman recommends allowing students to retake tests and redo assignments; eliminating penalties for late work; not grading homework; and taking class participation or attendance into account, since the alternatives all supposedly incorporate "implicit bias" on the part of teachers. In response to teachers who say that they need to use grades to encourage students to participate, attend class regularly, and turn in homework, Feldman denies that those sorts of "extrinsic motivation" promote learning. Feldman—who receives significant consulting fees from school districts to train teachers—admits that there is no significant evidence for his approach but claims that there are no "data that show that the current system is better."

New York City has incorporated many of Feldman's principles, including discouraging grades for homework or points off for late work, into its guidance for teachers. Similar policies have been adopted in Rochester, Minnesota, and promoted by the school systems of Los Angeles, Boston, San Diego, and Clark County, Nevada, as well as by state education departments in Maine, Minnesota, and Oregon. Currently, Schenectady, NY, is engaged in adopting Feldman's approach.[15]

The Four Transformations

This context makes it easier to understand the proposals contained in NYSED's vision for implementing the Blue Ribbon Commission's recommendations on graduation requirements. NYSED's plan calls for four separate "transformations":[16]

1. Adopt the New York State "Portrait of a Graduate"

The report offers the "Portrait of a Graduate," meant to illustrate the sorts of skills and knowledge that a New York high school graduate should have. To graduate, students will have to "demonstrate proficiency in each component of the portrait, meaning that they must be critical thinkers, innovative problem solvers, literate across all content areas, culturally competent, socially-emotionally competent, effective communicators, and global citizens."[17]

Only one of these components, "literate across all content areas," requires acquisition of substantive knowledge. ("Literacy," properly, means the ability to read and write. Knowledge of mathematics is not part of "literacy," nor is knowledge of science, history, economics, or even foreign languages.) The remaining elements are skills that, at best, are difficult to measure objectively or, in the case of "cultural competence," that lack any clear meaning.

The portrait's focus on global, rather than American, citizenship means depriving students of the civic pride and attachment that every free nation requires. The ideal NYS high school graduate, on this view, will identify strongly with his/her racial, religious, sexual, or cultural identity—as well as with international, nonrepresentative organizations such as the UN or Amnesty International. Knowledge of what it means to be a U.S. citizen, including our shared history, the Constitution, and our civic rights and responsibilities is simply omitted.[18]

Another aspect of the portrait, "social-emotional competence," seems akin to what is commonly known as character formation—but that is chiefly a job for parents, who need to habituate their offspring starting when they are toddlers to behave in a manner compatible with societal norms. The role of high school education in developing a student's "social-emotional competence" is unclear. Does it involve teachers inculcating a certain view of what is socially competent in controversial subjects like gender identity?

Parents who take a serious interest in their children's preparation for college, careers, and civic participation will insist that they continue to receive graded instruction in the traditional, core academic subjects. If the public schools abandon those subjects and replace them with activities like participation in the arts, service-based learning, or social-emotional learning, the result will be more families with the means to do so taking their kids out of the public schools. That, in turn, would only deepen class divisions—the very opposite of "equity."

2. Redefine Credits

The second transformation is described:

> NYSED proposes to redefine academic credits to focus on "proficiency" rather than on completion of time-based units of study (as is the current practice for most students). Students would be permitted to demonstrate proficiency in a number of ways, besides completing traditional high school courses. Alternatives would include, for example, approved work- or service-based learning experiences; dual-credit programs such as early college high school [taking college-level classes in high school]; earning a New York State seal or credential; approved Career and Technical Education programs; participation in the arts; and passing approved assessments, including Regents exams.[19]

This makes explicit the extent to which the goal is to de-emphasize academic learning in the name of equity. "Completing traditional high school courses" is just one possible means of demonstrating "proficiency" to earn a diploma. Contrary to the Regents' claims about "rigorous learning standards," this proposal would redefine graduation requirements in a way that doubles down on "student-centered" learning.[20]

But is it likely that most New York parents will wish to have their children educated in a way that diminishes the importance of learning? After all, many parents expect students to acquire substantive knowledge of subjects like English (both literature and writing), math, science, history, and foreign languages so as to prepare children for success in the workforce or in higher education. (This is by no means to deny the supplemental value of approved career and technical education [CTE] programs.)

3. "Sunset" Diploma Assessment Requirements

The third component of the proposed reform involves "decoupling specific assessment requirements from graduation requirements. Doing so means that students will no longer need to pass Regents exams . . . to graduate from high school. Regents examinations will continue to be available as one of the measures by which students may demonstrate their proficiency in meeting the State's graduation requirements."

Removing any particular assessments from graduation requirements may be necessary, given the impossibility of objectively assessing what knowledge a student has gained via "service-based learning" or participation in the arts.

4. Move to One New York State Diploma for All Graduates

NYS has long had several kinds of high school diplomas: Regents, Regents Advanced (for those who score particularly well on Regents exams), and "local" diplomas (for those students who pass local graduation requirements without taking Regents exams). The new approach would offer only one diploma. The local diploma would finally be phased out. However, the one diploma could be supplemented with certain seals or endorsements that districts can choose to offer. These seals can be earned through some activity or academic accomplishment: e.g., a district may offer a seal on the diploma of a student who completes a CTE program that includes several courses, a three-part technical assessment, and work-based learning experiences.

NYSED expressly recommended one diploma for the sake of equity—eliminating any stigma from receiving a less prestigious diploma and thereby reducing "stress" on students.[21]

Implementation of the New Requirements

In addition to changing graduation requirements, the Board of Regents has proposed reforms to the ways in which the new requirements will be taught. In particular, the board wants school districts to adopt "Performance-Based Learning and Assessment" (PBLA).

Performance-based assessments, according to NYSED, can include simple, "on-demand" tasks, such as an in-class writing exercise or short-answer test, as well as longer, more complex tasks inside or outside the classroom, such as:

- Analyzing and proposing solutions to real-world problems
- Analyzing literary or historical documents in an essay
- Building a prototype, device, or structure
- Conducting and analyzing a laboratory investigation
- Creating a work of art
- Demonstrating a technique (e.g., welding or pipefitting)
- Designing and delivering a multimedia presentation

- Developing a computer program
- Game-play assessments in physical education
- Participating in a debate
- Performing in a theatrical, dance, or music production or video
- Researching a topic and writing a report[22]

Of course, many of these example are already commonplace in public schools. So the real novelty of PBLA, aside from its inclusion of practical skills like welding, or "delivering a multimedia presentation," is that it allows these activities to be substituted for exams as requirements for graduation.

According to NYSED, PBLA is superior to the Regents exams because it provides a more authentic and valid measure of student performance, as it often involves real-world tasks and scenarios; it can offer immediate feedback to students and teachers, enabling them to identify areas of strength and weakness; it can be used to inform instruction and tailor learning opportunities to better meet student needs and interests; it can assess complex skills and learning outcomes that may not be easily measured by traditional tests, such as the ability to work in groups, completion of tasks based on group-determined timeline, integrating others' work into a whole project; and, in the form of CTE programs, it helps students develop skills and knowledge applicable in college and the workforce.[23]

These benefits, if realized, might make PBLA sound promising. The question is whether *substituting* them for statewide exams is likely to enhance student learning or provide fair assessments of individual students' accomplishments. As critics have noted, grading individualized performance-based assessments will be far more time-consuming for teachers than standardized tests. (As I note below, based on my personal observation, it is also a process that consumes a considerable amount of class time.) In addition, it is unlikely that all teachers will possess the specialized knowledge and skills necessary to assess achievements like designing computer programs or to evaluate artistic performances.

More fundamentally, performance-based assessments will provide only a limited sampling of each student's overall learning—that is, what the student has been doing in all of his/her classes. And PBLA assessments will inevitably be at least partly subjective in nature, especially given the variety of activities to be graded: What will be the basis for comparison?

Perhaps the most difficult element of PBLA is the development of clear rubrics that allow for consistent grading of student work. Developing a rubric involves defining assessment criteria, identifying levels of performance, and ensuring clarity for both teachers and students.

NYSED has experimented with a variant of PBLA through a Performance Standards Consortium—comprising 38 member schools that are exempt from the Regents exams and that instead use PBLA. In the 2024–25 academic year, the state designated an additional 24 pilot schools to implement PBLA.[24] In order to see how PBLA is working, I recently visited three members of the consortium, each of which has contracted with private companies that have developed curriculum, materials, assessments, rubrics, and teacher training programs. (Such training had not been provided in the state's education schools.)

Evaluation of Performance-Based Learning and Assessment

Graduation rates of the consortium schools located in NYC have been higher than those of non-consortium city schools for all students and subgroups. But given the different graduation requirements, this does not indicate anything about which group has been better educated (**Figure 1**).

Figure 1

High School Graduation Rates for Consortium and NYC Public High Schools

	Consortium	Citywide
4-Year Graduation Rate for 9–12 High Schools*	84.0%	77.3%
4-Year Grad Rate - Black*	84.0%	73.7%
4-Year Grad Rate - Hispanic*	80.0%	72.0%
4-Year Grad Rate - English Language Learners	75.0%	69.0%
4-Year Grad Rate - Students with Disabilities	73.0%	68.0%

Source: These results were calculated using publicly available NYC DOE data (accessed November 2019 and January 2020): 2018–2019 School Quality Guide Citywide Data; High School Citywide Results; Transfer High School Citywide Results

*New York City Graduation Rates Class of 2019 (2015 Cohort).

Note: Consortium graduation data based on two or more years of enrollment in a consortium member school

PBLA also eschews direct, guided instruction in favor of a minimally guided approach (sometimes referred to as "guide on the side").

In a 2006 paper, "Why Minimal Guidance During Instruction Does Not Work,"[25] education psychologists Paul A. Kirschner, John Sweller, and Richard E. Clark summarize the evidence for the ineffectiveness of the sorts of methods involved in PBLA. These methods, the authors argue, "ignore both the structures that constitute human cognitive architecture and evidence from empirical studies over the past half-century that consistently indicate that minimally guided instruction is less effective and less efficient than instructional approaches that place a strong emphasis on guidance of the student learning process."

This conclusion is based on ample results from cognitive science that distinguish between the functions of "long-term" and "short-term," or "working," memory. Long-term memory incorporates our knowledge base and is central to all cognitive activities. Working memory, by contrast, is the cognitive structure within which the conscious processing of information—i.e., *using* the information that we've acquired—occurs.

As the authors note, working memory is severely limited when we are operating with novel information. But that is precisely what is involved in the progressive approach to education—which holds that children learn best by experiential learning and doing projects. Formal instruction by teachers in a set curriculum, by contrast, allows students to more fully use their working memory and thus eventually gain the long-term knowledge that they will need in their future studies, careers, and personal lives.

Kirschner, Sweller, and Clark also cite Richard Mayer, an educational psychologist at the University of California–Santa Barbara, who reviewed evidence from studies conducted from 1950 to the late 1980s comparing pure "discovery learning"—unguided, problem-based instruction—with guided forms of instruction. Mayer found that guided instruction produced superior results:

> [I]n each decade since the mid-1950s, when empirical studies provided solid evidence that the then-popular unguided approach did not work, a similar approach popped up under a different name with the cycle then repeating itself. Each new set of advocates for unguided approaches seemed either unaware of or uninterested in previous evidence that unguided approaches had not been validated. This pattern produced discovery learning, which gave way to experiential learning, which gave way to problem-based and inquiry learning, which now gives way to constructivist instructional techniques.... [T]he debate about discovery has been replayed many times in education but each time, the evidence has favored a guided approach to learning.[26]

Moreover, Kirschner, Sweller, and Clark find that, because students learn less from a constructivist approach, most teachers who attempt to implement that method end up providing students with considerable guidance, contrary to what the constructivist doctrine maintains.

Given these findings showing that PBLA is less effective than guided, direct instruction from a teacher, how should the Board of Regents proceed? PBLA advocates maintain that it should *still* be adopted in the name of "equity"—since the elimination of substantive content-based exams such as Regents examinations supposedly reduces the disparity in graduation rates between "white" (and Asian) and "minority" students. But the result would be that *everyone* in a class would learn less. If, however, we think that it matters that barely more than 30% of New York State fourth- and eighth-grade students are proficient in reading—and that only about 28% of eighth-grade students are proficient in math—then education policymakers should be trying to raise the overall level of student achievement, using time-tested approaches, which will benefit all students, regardless of their racial or ethnic background.

Reversing New York State's Downward Trajectory in Public Education

A better approach is the one offered by Daniel Buck, former teacher and the author of *What Is Wrong with Our Schools?*, who argues that "education doesn't need a redefinition of what it means to be educated, nor a drastic overhaul of the system." Buck states that education instead "needs to rediscover tradition—a tradition of teaching methods that value the role of the teacher, of order and discipline, of knowledge worth knowing and of wisdom worth learning."[27]

Buck's advice on the ideal approach to instruction is time-tested:

> Read books together and discuss them. Set up classroom routines with behavioral expectations and hold students accountable. Teach students directly through explanations, models, and examples. Ask questions to ensure they are following the concepts. Expose students to the best literature that humanity has produced, the most important scientific concepts, and the most significant events in history, so they can go into the world armed with an outline of knowledge.[28]

Buck's Approach in Practice: Success Academy Charter Schools

Judging from the results on New York State tests other than the Regents, which must be administered in accordance with federal law, Success Academy Charter Schools (SA) are one large-scale example of how Buck's recommendations work, particularly among minority students. The SA Network, which began operations in 2006, now educates 35,000 students across Brooklyn, Queens, Manhattan, and the Bronx. In 2024, SA schools ranked number 1 in NYS math test scores and number 3 in English language arts among districts with test participation rates of 95% or higher. Even though more than 90% of the network's students are "children of color" from low-income households, they outpace even affluent suburban school systems on these tests.[29]

Furthermore, 80% of SA students earn a passing grade on at least one advanced placement (AP) exam. To date, 100% of SA graduates have been accepted to college, many to highly selective institutions. SA schools have also managed to narrow racial disparities in achievement, compared with those that persist across NYC and NYS.[30] SA schools achieve these superior results, even though charter schools in NYC as of 2024 receive only $19,044 per student, about 70% of what NYC Department of Education schools receive.[31] (Many charter schools have established separate foundations through which they receive grants from foundations and donations from individuals, which can add substantially to their revenues.)

SA's success, despite a student population consisting largely of low-income and minority students, likely results from a combination of factors, including:

- Just one standard curriculum is used in all network schools. This gives teachers, who are trained to employ that curriculum, the opportunity to focus on effective delivery and enables them to be better diagnosticians and evaluators of their students' thinking and work. As Robert Pondiscio, a former teacher and the author of *How the Other Half Learns*, puts it, "the Success Academy approach maximizes the value of the one resource that cannot be expanded: a teacher's time."[32]

- The books and other curriculum materials are chosen for their high-quality, content-rich character that will expand students' horizons and give them the background knowledge needed to navigate the wider world after high school. The introduction to the high school English curriculum provides insight into SA's goal:

  > Our English curriculum exposes scholars to the great texts, ideas, and events that have shaped our modern world, and it prioritizes Platonic style [i.e., Socratic] discourse; incisive analysis; and powerful, cogent writing. By studying works of lasting and urgent value, our students learn to grapple with complex ideas, appreciate diverse cultural perspectives, and experience the joy of the written word.[33]

- The curriculum exposes students to the performing arts and fine arts both in school and through trips to cultural institutions and events, as well as to historic sites—the sorts of exposure that are commonplace for youngsters born to more educated and prosperous families.

- The teachers are trained over a 13-week period during the summer before entering a Success Academy classroom. The training concentrates on the curriculum, classroom management, discipline, collaboration with colleagues, parent engagement, and the school's culture of high expectations for students, parents, and teachers.

- Parents or guardians must sign a contract specifying their responsibilities for working with their children, including reading with them every night, ensuring that they do their homework, and having them at school on time every day. Admittedly, many parents may not want or

> be able to make such a commitment; but for those who can, the SA approach should be an option. SA Schools currently have a waiting list of 20,000 students, which shows that many parents *are* willing and able to meet SA's requirements. There is no reason to assume that the SA approach is not capable of being "scaled" more widely.

- The school has a strict disciplinary code and a dress code.

It should be apparent that the core elements of SA's approach bear little resemblance to the claims of progressive education theorists that students should be left to choose their own areas of study, "projects" to work on, or kinds of "experiential learning," with teachers reduced to offering just ancillary guidance (and only vague modes of assessing student success). As Eva Moskowitz, founder and CEO of the SA Network noted in her memoir:

> As Freud observed, human beings didn't evolve to live in civilized society. Neither did they evolve to attend school. If you start with the idea that children will naturally behave the way you want them to, that it's just like planting a seed and watching it grow, you will likely be disappointed and less successful at teaching them. You are more likely to succeed if you accept the fact that schooling often requires getting children to act contrary to their natural [i.e., initial] inclinations.[34]

Of course, one should add to Moskowitz's statement, in the spirit of great teachers from Aristotle onward, that after students become *habituated* to the rewards of learning, what didn't *originally* seem natural will become so (as she implies by referring to "the joy of the written word"). But that habituation can happen only if children are encouraged to learn in an orderly classroom environment, with a rich curriculum, teachers who are enthusiastic about explaining that curriculum, objective standards of achievement for students to strive to attain, and parental support.

Recommendations

Given the successes that the SA Network has achieved with low-income and minority students, it would be highly desirable for public schools as a whole to emulate its approach, to the extent possible. (One original justification for establishing charter schools was to provide models of "best practices" that could be followed by others.)

Admittedly, the SA approach in its entirety may not be appropriate for school districts with different demographics, locations, or other factors. However, the need to accommodate differences among district populations in no way justifies imposing or even encouraging PBLA on all the state's school systems. All schools should still offer instruction led by teachers, in standard academic subjects, and subject to statewide tests that will assess the amount of learning actually happening in a particular school—so that failing schools can be reformed.

The greatest improvements nationwide in NAEP scores in both ELA and math occurred during the period of standards-based reform and accountability under NCLB (2003–13).[35] Massachusetts—which developed its own, more demanding, curriculum that served as the model for NCLB—successfully led this reform; it developed high-standard, content-rich curricula and ensured accountability through regular testing in lower grades and a requirement that students pass state tests in 10th grade as a prerequisite to graduation. Massachusetts also developed state intervention protocols in schools and districts when poor performance warranted it. If the Board of Regents wants to raise student achievement, it should learn from that success. However, achieving that goal will require persistence, perseverance, and, perhaps above all, political will.[36]

The Board of Regents should rethink its "Portrait of a Graduate." The current definition makes no mention of a student's responsibilities as an American citizen living in a democratic republic, which requires an educated citizenry capable of self-government in order to perpetuate itself. "American citizen" should replace "global citizen," a term that lacks any clear meaning and serves only to alienate students from identification with their country, including the Constitution and history, customs, and traditions. Educating students for self-governance as American citizens, of course, in no way precludes criticisms of particular policies, past or present—but intelligent criticism presupposes prior understanding of the country's guiding principles, which are unmentioned in the portrait.

The Board of Regents should rethink its focus on "cultural competency," which, in practice, amounts to dividing students into groups based on their ostensibly distinct "cultures." This approach has led, wherever it is promoted, to the divisive ideology of "oppressors and oppressed" (espoused by theorists like Ibram X. Kendi and—a longtime favorite in education schools to this day—Brazilian Marxist revolutionary Pablo Freire's 1969 tome *Pedagogy of the Oppressed*) and to demands for special favors for allegedly "disfavored" groups, thus actually promoting both discrimination and resentment.

Without denying any group the opportunity to acquaint itself with its own historical culture, the emphasis of our public schools should be on the principles that unify us as a people, without regard to differences in race, religion, or economic circumstances. This is, after all, how many millions of immigrants came to share in, while helping to form, our distinctive American identity.

The Board of Regents needs to reconsider its definition of the goal of education as "equity." Striving for equal outcomes is both utopian and antiliberal—and thus contrary to America's founding principles. Human beings, as individuals, have different talents, aspirations, interests, and degrees of motivation.[37] Ever since this country's founding, people throughout the world have immigrated to the U.S. because of the combination it offered of individual freedom and of opportunity to develop their own talents—that is, *legal* equality of opportunity, or the freedom from the sort of the fixed restraints on individual advancement that existed elsewhere. Our state's educational system needs to reflect that understanding.

Appendix

As part of this study of the educational approach scheduled to be adopted statewide, I visited three schools, referred to me by a member of the commissioner's staff at NYSED, two of which were part of the PLAN pilot network of two dozen schools selected in 2024 to begin implementing PBLA, as well as one regional high school that has been part of the 38-member New York Performance Standards Consortium, established in 1997, and serves as a mentor to other pilot schools.

Observations of the PBLA

> The classrooms were orderly, the teachers were enthusiastic, and the students seemed eager to share their work and expressed satisfaction with their education. In two of the classes I visited at the charter schools, the students had just completed research papers and were waiting to be called individually to another room for an oral exam, which was the final step of the project. The teacher was walking among the remaining students answering an occasional question. There was no formal instruction occurring during this period. In another class, students had just completed their projects and their oral exams, so they were engaged in a word game to "unwind." The teacher walked among the tables; again, there was no formal instruction. Given the limited hours in the school day, I wonder whether time is being used most effectively—not so much on account of the game, as on account of the "waiting" time for the class while other teachers examine each student individually. I was reminded of Robert Pondiscio's comment of the importance to "maximize the value of the one resource that cannot be expanded: a teacher's time."

Endnotes

1 Over two-thirds of the education budget is covered by the state in the form of Foundation Act funding, with the remainder covered by local school taxes. For the 2025–26 academic year, Shelley Mayer, chair of the state senate education committee, proudly reports in her constituent newsletter that the legislature has adopted a budget that includes $26 billion in Foundation Act funding, a $120 million increase over Governor Hochul's proposal and a $1.7 billion overall increase in "school aid" over the previous year. The budget includes $340 million for free breakfast and lunch for all students throughout the state.

2 Stevan Marcus, "Higher Costs, Middling Marks: New York School Spending and Results," Citizens Budget Commission, Jan. 17, 2025.

3 Ibid.

4 The history in this section is drawn from New York State Education Dept. (NYSED), "History of New York State Assessments."

5 Frederick Hess, "How the Common Core Went Wrong," *National Affairs*, no. 21 (Fall 2014).

6 NYSED, "Culturally Responsive-Sustaining Education Framework," 2018.

7 Ibid., 12.

8 Ibid., 6.

9 Ibid., 12.

10 NYSED, "Blue Ribbon Commission on Graduation Measures," Nov. 13, 2023.

11 NYSED, "State Education Department Presents Vision to Transform New York State's Graduation Requirements," press release, June 10, 2024.

12 NYSED, "State Education Department Announces 'NY Inspires: A Plan to Transform Education in New York State'," press release, Nov. 4, 2024.

13 Ibid.

14 Joe Feldman, *Grading for Equity: What It Is, Why It Matters, and How It Can Transform Schools and Classrooms* (Thousand Oaks, CA: Corwin, 2018).

15 Matt Barnum, "New Rules for Grading Gain a Foothold," *Wall Street Journal*, May 13, 2025.

16 NYSED, "NY Inspires: A Plan to Transform Education in New York State—Four Transformations," Nov. 4, 2024.

17 NYSED, "State Education Department Presents Vision."

18 The notion that schools need to reinforce students' appreciation of their distinct racial or ethnic identities ("multiculturalism") more than their common identity as Americans was already well ensconced in the training of teachers over four decades ago, everywhere from

Columbia's Teachers College to historically black Texas Southern University. See Rita Kramer, *Ed School Follies: The Miseducation of America's Teachers* (New York: Free Press, 1991), 29, 184–85, 210–11.

19 NYSED, "State Education Department Presents Vision."

20 "Student-centered" learning departs considerably from what has typically been understood as the proper approach to K–12 education, displacing the traditional role of the teacher as classroom leader and instructor and the notion of a common body of knowledge that all students should acquire. Its underlying theory has roots that go back a century, to the doctrines of the "progressive" educational movement whose best-known champion was John Dewey.

21 NYSED, "NY Inspires," 12.

22 NYSED, "PLAN Pilot Frequently Used Terms: Performance-Based Learning and Assessment."

23 TK.

24 See Performance Standards Consortium, "Our Schools."

25 Paul A. Kirschner, John Sweller, and Richard E. Clark, "Why Minimal Guidance During Instruction Does Not Work: An Analysis of the Failure of Constructivist, Discovery, Problem-Based, Experiential, and Inquiry-Based Teaching," *Educational Psychologist* 41, no. 2 (2006): 75–86. For criticism of the "child-centered," "guide on the side" approach in comparison with the "knowledge-centered" approach by teachers who have experienced both, see E. D. Hirsch, *How to Educate a Citizen* (New York: HarperCollins, 2020), chap. 2.

26 Richard Mayer, "Should There Be a Three-Strikes Rule Against Pure Discovery Learning? The Case for Guided Methods of Instruction," *American Psychologist* 59, no 1 (January 2004): 14–19. The pattern that Mayer observed seems to resemble the decades-long debate over the most effective method of reading instruction: "whole language" (also known as "balanced literacy," or "guessing and pictures") or phonics (also known as the "science of reading"). Fortunately, that debate appears to have been finally resolved in favor of phonetic instruction, since most educators have now accepted the evidence of its superiority. But as evidence of the resistance that the education establishment offered to that finding, consider the remark that Kramer quotes from a Columbia professor addressing future teachers: "What do you do when parents complain that their kids aren't learning phonics? Don't tell them that you don't teach phonics" (Kramer, *Ed School Follies*, 15 [Kramer's emphasis]).

27 Daniel Buck, *What Is Wrong with Our Schools? The Ideology Impoverishing Education in America—and How We Can Do Better for Our Students* (Clearwater, FL: John Catt Educational, 2022), 176.

28 Ibid.

29 Harlem World, "Success Academy's Black and Hispanic Students Outperform NYC Peers, Pass State Exams at Twice the Rate," Aug. 15, 2025.

30 See Success Academies, "Results."

31 Ibid.

32 Robert Pondiscio, *How the Other Half Learns: Equality, Excellence, and the Battle over School Choice* (New York: Random House, 2020), 145.

33 Success Academy Charter Schools, "The High School Curriculum" (2021), 11.

34 Eva Moskowitz, *The Education of Eva Moskowitz: A Memoir* (New York: Harper, 2018), 342.

35 Jennifer Weber, "The Nation's Report Card Is Out: Here's What the Results Tell Us About the Nation's Schools," Manhattan Institute, May 15, 2025.

36 Roberta Schaefer, "Better Results with Lower Spending: Public Education in Massachusetts and New York," Empire Center for Public Policy, July 3, 2024; see also Ray Domanico, "An Education Agenda for New York City's Next Mayor," Manhattan Institute, June 18, 2025, which reaches similar conclusions and recommendations regarding the need for high standards and accountability.

37 On the fallacy of assuming that in the absence of unjust discrimination, everyone's achievements in any given field will be equal, as is maintained by Kendi et al., see, most notably, Thomas Sowell, *Discrimination and Disparities* (New York: Basic Books, 2019) and *Social Justice Fallacies* (New York: Basic Books, 2023).