

Assembly Committee on Education
December 17, 2015

**Department of Public Instruction Testimony
Assembly Bill 517**

I want to thank Chairman Thiesfeldt and members of the committee for the opportunity to testify before you today on Assembly Bill 517 (AB 517). My name is Jeff Pertl, and I am the Senior Policy Advisor for the Department of Public Instruction (the department), and with me today is Steve Fernan, Assistant Director on the Student Services, Prevention, and Wellness Team.

Student safety has always been a top priority for our schools. Turn on the news and one understands instantly the wide array of student safety issues our schools must tackle. From bullying to sexual assault and from gang violence to domestic terrorism, the department, school leaders, educators, parents, and advocates have been on the front line of addressing school safety, and we welcome legislative efforts to improve school safety and outcomes for students.

While public reporting is an important part of an overall school safety strategy, the proposed bill as drafted presents numerous implementation issues and policy questions that should be addressed before the committee considers taking action.

Policy Considerations: The proposed data elements need further analysis, particularly around collection feasibility and reporting accuracy. To implement the bill, school districts will need the legal authority to collect law enforcement and court records, as well as a standardized reporting mechanism and business rules for data collection.

However, the proposed requirement for schools to *report* data does not necessarily confer the authority to collect that data, nor does it resolve issues around the confidentiality of juvenile records. Additionally, numerous policy questions remain about what constitutes a reported incident and how it should be applied, such as:

- Do incidents have to be verified before being reported?
 - If not, does every potential report to a principal result in a report without any verification or investigation?
- Are schools to report incidents when someone is suspected, reported on, or convicted (or found to be delinquent if they are a minor)?
 - Incidents reported are not the same as charges, convictions, or findings of delinquency, but the expected standard is unclear and could lead to great variations in reporting and data quality.
- If a school district hosts a community event or rents out a facility to a private group and an incident occurs that does not involve any students, are they required to report and count that incident because it took place on school grounds?

- If a school is hosting an athletic competition or extra-curricular event and an incident occurs involving students from multiple schools, how then should the incident be reported?
 - Would the incident count for both schools or only for the school where the incident took place?
 - If the incident were attributed to multiple schools, this would impact the quality of statewide reporting as incidents would be duplicated and inflated.

Additionally, there are a few other broad policy issues to consider. While the bill contains a provision to prevent the reporting of the identity of a pupil, this language should be aligned with other data privacy language that protects individually identifiable student data, while allowing the department access to that data.

Furthermore, if the legislative intent is to apply this requirement to all publicly-funded schools, then be aware that schools participating in the special needs scholarship program are not included in the current draft.

Finally, the committee should carefully consider how these or any other new reporting requirements might impact the report cards and data collection burden for schools. This is particularly relevant with the recent reauthorization of the Elementary and Secondary Education Act. Other legislative committees and advocacy groups have proposed additional data reporting that includes: career and technical education indicators; post-secondary enrollment; military entrance exam scores; extra-curricular activities; art, music, and physical education; and AP/IB class offerings.

Implementation Considerations: There is insufficient capacity to add new reporting requirements until schools have successfully completed the student information system transition and educator effectiveness implementation. The department and all publicly-funded schools are currently facing capacity challenges implementing several legislatively-mandated data collections. Over the last few years, an unprecedented amount of work has gone into WISEdata and other state reporting systems, including:

- new teacher identifier for public school educators;
- student identifier for choice students;
- coursework competition system;
- educator effectiveness; and
- WISEdash public and secure reporting portals.

At the same time, choice schools are busy implementing the local student information systems requirement and working to integrate into the state reporting system. Realistically, Wisconsin schools will not have the capacity to develop a new reporting system of this scale until 2017-18.

Fiscal Considerations: New data collection and reporting will impose additional costs and consume staff resources. The bill requires the department to build a new data reporting system that collects this data from all publicly-funded schools based on the uniform crime reporting system of the Wisconsin Department of Justice (DOJ), and then to report this safety data on the

school report cards. *No funds are appropriated to the Department of schools for this work.*

It is impossible to determine the state or local fiscal impact at this time, or whether the DOJ is even able to give the department access. The new reporting system will also require the training of school district, charter, and voucher school staff so they know how to use the new system.

Capacity for additional data reporting will be limited in the short-term. To ensure successful implementation and data validity, more planning and analysis is needed on the data elements and proposed reporting. The department recommends postponing action on this proposal until these issues can be thoroughly addressed. Additionally, the state could explore a pilot project to identify and resolve potential issues.

The department is committed to working with you on a comprehensive approach to school safety. Thank you again for the opportunity to testify today and at this time we would be happy to answer any questions you may have.