

**Assembly Committee on Education
February 12, 2014**

**Wisconsin Department of Public Instruction
Testimony on Substitute Amendment 1 to Assembly Bill 379**

Representative Kestell, thank you for holding this public hearing on this important issue. My name is Jeff Pertl, and I am a Senior Policy Advisor at the Department of Public Instruction (DPI). I am testifying in opposition to Substitute Amendment 1 (SA 1) to Assembly Bill 379 (AB 379).

AB 379 makes several improvements over other recently circulated drafts. Most notably, this version:

- Reinstates the current law testing requirement for all publicly-funded students to take the State Assessment, which is necessary for apples-to-apples comparison of student performance.
- Removes the 5% requirement that arbitrarily identifies 35-40 additional schools as failing, even though their performance did not warrant that label.
- Largely restores an equitable timeline for imposing sanctions on schools, although the initial five-year contract guarantee for charter schools remains inconsistent with this position.

However, despite these improvements, several areas of concerns persist, which are outlined below:

SUMMARY OF CONCERNS REGARDING SA 1 TO AB 379

A challenging process: Wisconsin's accountability system governs 875,000 students, 2,000 schools and 424 districts. The framework was developed by a statewide Design Team that included a wide-array of stakeholders. It is designed to be a robust, multiple measures system that improves over time.

The process around the various accountability proposals has been difficult for everyone. Initially focused on the 2011 Wisconsin Act 20 requirement to include choice schools in the accountability system, over time the emphasis has shifted to the mechanics of the report card and sanctions.

While the DPI was consulted and provided technical feedback on numerous drafts, tremendous weight has been given to concerns expressed by private and charter schools advocates, while public schools leaders have been largely absent from the legislative discussions. Given the significant impact on the public education system and the severe sanctions proposed for struggling public schools, this is highly problematic. Moreover, the ability for parents, business leaders and school advocates of all types to analyze and comment on the drafts has been unfortunately limited.

Assigning grades: Contrary to the recommendation of the Design Team, this proposal would impose an A-F grading system on schools. This was a highly charged debate in the Design Team, but the significant majority of stakeholders opposed this measure. To force grades on schools now will only serve to break faith with stakeholders who participated in the process.

The report cards were not designed to reflect student grading patterns; they were designed to quantify the performance of a school. Parents and the public have strong perceptions related to grades. While the majority of schools would receive an acceptable report card score and meet the expectations the design team placed upon them, changing their school accountability rating to a “C” carries a connotation of underperformance that they simply aren’t displaying.



Over 80 percent of schools and over 90 percent of districts fall in the second (exceeds expectations) or third (meets expectations) categories. In contrast, student grades do not follow this pattern. According to the U.S. Department of Education, the average student has 3.0 GPA (or a B)—not a “C” average.¹

2012-13 Accountability Score Data

| Category | # schools | % schools | # districts | % districts | Grade |
|------------------------------------|------------|------------|-------------|-------------|----------|
| Significantly Exceeds Expectations | 86 | 5% | 9 | 2% | A |
| Exceeds Expectations | 693 | 36% | 134 | 32% | B |
| Meets Expectations | 904 | 47% | 269 | 64% | C |
| Meets Few Expectations | 169 | 9% | 10 | 2% | D |
| Fails to Meet Expectations | 58 | 3% | 1 | 0% | F |

Almost half of all schools and almost two-thirds of Wisconsin’s schools districts would no longer “meet expectations,” but rather would be graded a “C.” This sends the wrong message about school performance that would undermine Wisconsin’s history of strong public education.

Eliminating multiple measures of college and career readiness hurts workforce readiness: When the Design Team launched in 2011, it was a collective goal to move past the static, broken system of No Child Left Behind to a system that uses multiple measures of what is valued about our schools:

This system will hold schools accountable not just for whether students are performing at grade level, but also for how much student performance is growing from year to year. We also will consider other valid indicators - beyond test scores - that measure progress to college and career readiness, such as advanced coursework, college credit or industry certifications earned while in high school and improved dropout and graduation rates, for example. By considering multiple measures of student success, we can provide accurate, transparent and comprehensive information that promotes improvement in every school.

-- [Joint Editorial](#), Milwaukee Journal Sentinel, July 9, 2011

¹ -- “The Nation’s Report Card.” U.S. Dept. of Education. http://nationsreportcard.gov/hsts_2009/course_gpa.aspx

While this proposal would publicly report some college and career measures, states like Florida and Kentucky integrate military readiness exams, industry certifications, and postsecondary credit earning (AP, IB, dual enrollment, and course options) into their accountability system scores. Including measures such as these would create a much more robust and meaningful high school report card, while incentivizing and aligning Wisconsin's workforce readiness and college achievement goals.

Restore the ability for students to meet the "on track" (priority area four) indicator via the military readiness assessment, an industry certification, and/or earning postsecondary credit.

Adopting value-added growth will not meaningfully reduce the impact of poverty on school ratings: As the Department has previously stated, introducing value-added growth would disrupt the current report card system, while having a very marginal impact on growth and overall scores. Additionally:

- The U.S. Department of Education does not allow demographic controls in growth models for accountability purposes, jeopardizing Wisconsin's federal NCLB waiver;
- Using value-added growth without demographic controls does not make sense, would introduce new costs, and would be less helpful for school improvement efforts than the current growth model, which offers student-level growth projections; and
- School report cards are a multi-measure system with growth accounting for 25 percent of the score. Even with demographic controls, incorporating value-added would only marginally reduce the poverty correlation (from .7 to .67 according to VARC modeling).

While the policy goal of mitigating the impact of poverty on school report cards is a laudable one shared by the State Superintendent, replacing student growth percentiles with value-added growth will not accomplish this aim. Both growth metrics are highly correlated and neither addresses the underlying policy problem that student achievement, graduation and attendance correlate highly with poverty.

Introducing additional metrics as they become available, particularly at the high school level, is the best approach to reducing the impact of poverty on school performance ratings.

Increased weighting for attendance and graduation will artificially inflate scores: Currently the attendance and graduation (On Track priority area) of the report card is frozen at 20 percent. Other priority areas (student achievement, growth, and gap closing) are allowed to expand or "fill in" for schools missing a priority area (for example, high schools cannot receive a growth score until the new assessments are in place, so student achievement and gap closing receive more weight in their scoring).

However, Wisconsin's attendance and graduation rates are very high and relatively uniform across the state. Consequently, while they are important metrics to include, attendance and graduation rates should play a limited role in differentiating school performance.

Allowing attendance and graduation to count for more than the federally-required 20 percent will artificially inflate the scores for schools missing other priority areas, raising significant fairness issues. A better approach would be to incorporate the ACT WorkKeys assessment (2013 Wisconsin Act 20).

Charter schools should not have a longer initial “grace” period than other school types: Recent proposals, including SA 1 to AB 379, provide a minimum five-year initial contract for charter schools, during which those schools are protected from the normal sanction timeline and requirements outlined in the bill. This creates an uneven playing field for schools and raises equity concerns

This provision should be removed or applied equally to all new schools, regardless of sector.

Challenges with overemphasizing Charter Management Organizations (CMOs): One of the guiding principles of the Design Team was to “provide differentiated systems of support to the lowest performing schools and districts including professional development targeted to their districts.” This proposal provides no resources or measures that would improve struggling schools, but rather imposes punitive labels and unworkable sanctions.

Moreover, the scale of sanctions contemplated in this proposal is immense. In 2012, there were 158 schools (from 22 districts and including 6 independent charter schools) that had been in either of the bottom two categories for two consecutive years. While not all of these schools would ultimately face sanctions, the current proposal would require CMOs to absorb an unprecedented number of schools and engage in simultaneous turnaround efforts.

This is impractical and unworkable. Wisconsin’s CMO’s capacity is woefully inadequate for the scale of conversion. Additionally, there has been little interest in taking over large comprehensive high schools from CMO organizations – and the schools in question include most of the state’s largest high schools.

Finally, there is no authority for CMOs to operate independently statewide and the current financing would pull a significant amount of school aid from all other districts to fund these schools.

It would be impossible to implement the sanctions currently outlined for low-performing public schools. A viable public sector improvement option must be included.

Including other private school testing data: There are several challenges around constructing an additional report card score based on other assessments that include all private students.

The parameters of this proposal are too broad to implement well. It allows for an undefined number of tests without clear timelines or funding. Equating test results and growth data across an undefined number of assessments would be a costly endeavor and would likely require ongoing revision as assessments of all types adjust to changing academic standards.

Furthermore, to calculate an equivalent report card score would require those schools to submit demographic, graduation, and attendance data on private school students not in parental choice programs. This seems incongruous with other legislative proposals.

Eliminate this provision or modify it to simply include the aggregate private school performance data.

Additional technical comments around the drafting language will be submitted to Rep. Kestell’s office, and supplemental background information on the school and district report cards is included after the submitted testimony. Please feel free to contact Jeff Pertl at jeff.pertl@dpi.wi.gov or (608) 772-2907 if you have additional questions or want to discuss Wisconsin’s accountability system in greater detail.

Background: Wisconsin's Accountability System

WORKING TOGETHER TO IMPROVE ACHIEVEMENT FOR ALL KIDS

It has been a transformational time in public education. Wisconsin is changing what children learn, how they're taught and tested, and how schools and teachers are evaluated. The scope and pace of change is unprecedented, and students are fortunate to start from a position of strength. Wisconsin has top-level ACT scores, "Best in the Midwest" performance on Advanced Placement exams, and graduation rates that are the highest in the nation.

However, nearly 6,000 students drop out of school each year and graduation gaps persist for students of color, students with disabilities, English language learners, and students in poverty. Too many of Wisconsin's youngest students struggle to read, and child poverty and homelessness have reached the highest levels in recent memory.

State Superintendent Evers sincerely believes to meet these challenges we must find ways to work together to improve educational outcome for our kids. To that end, he has worked with Governor Walker, legislators from both political parties, business leaders and educators on school accountability, educator effectiveness and the Read 2 Lead efforts.

Diverse group promises to work together to forge a new system. In July 2011, elected officials, school leaders and education advocates released a joint editorial outlining the case for accountability reform that includes all publicly-funded schools.

"We believe that every school enrolling publicly funded students - traditional public schools, charter schools or private schools in choice programs - should be part of this new accountability system. Too often, Wisconsin's education reform conversation has centered around which type of school is better, instead of how to ensure a world-class education for all Wisconsin children, regardless of which school they attend. Ultimately, nothing is more important than student learning, and we believe all schools should be held accountable for this above all else."

-- By Scott Walker, Tony Evers, Luther Olsen, Steve Kestell, John Ashley, John Gee, Matt Kussow, Jim Lynch, James Bender, Gary Myrah, Miles Turner, Woody Wiedenhoef

These leaders came together and formed a School and District Accountability Design Team composed of statewide stakeholders from all education sectors to think through this new accountability system. The challenge was to not only address low-performing schools, but also to empower parents and educators to understand, improve and hold accountable the schools in their communities.

The results of this work are new school report cards designed to provide meaningful information about school performance for a wide-array of audiences: parents, educators, policy-makers and taxpayers. In an increasingly complex education eco-system, where parents can choose among traditional public, charter, choice and virtual schools, or open enroll into another district, the need for a meaningful, understandable and comparable school report card has never been greater.

To that end, Wisconsin's school report card cover page provides a simplified, color-coded rating along with summary data on important metrics such as student achievement, growth, gap closing and college or career readiness. This provides an important "snap-shot" look at school performance, while still providing a more substantial analysis to help parents make the best decision for their family.

The subsequent “report card detail” provides educators, policy-makers and interested members of the public with more robust information. Data is disaggregated to show how different students perform within a school and detailed growth information demonstrates how quickly students are improving.

Including all publicly-funded schools has been an ongoing process. The genesis of the report card rests with the 2011 Design Team, which worked to outline a unified system of accountability (state and federal) for all publicly-funded schools as part of the new flexibility offered under the federal No Child Left Behind (NLCB) waiver. While much progress was made, consensus was not reached on all items.

In an effort to move forward, the DPI used the Design Team’s work to inform the federal waiver application, while advocates and legislators worked to craft a parallel state accountability bill. However, because no state legislation was passed, choice schools were not included in the final version of Wisconsin’s accountability system.

However, the 2013-15 State Budget (2013 Wisconsin Act 20) proposed by Governor Walker and adopted by the legislature (1) required choice schools to participate in the state data system within five years; (2) statutorily defined the report card’s four priority areas and five rating categories; and (3) included choice schools in Wisconsin’s accountability system.

ACCOUNTABILITY IMPROVES OUTCOMES FOR ALL STUDENTS & SCHOOLS

Publicly-reported information enhances competition and improves choice student performance. Families need access to easily understandable, high-quality information about all the schools in their communities (public and private) in order to make the best choice about where to enroll their children.

Dr. Devon Carlson, who has worked on the School Choice Demonstration Project and written extensively about charter schools and open enrollment, recently published new research that indicates the performance measures adopted under 2009 Wisconsin Act 28 have significantly improved student performance in the Milwaukee Parental Choice Program (MPCP).

“Specifically, drawing on student outcome measures generated by an evaluation of the MPCP—the nation’s oldest and largest urban school voucher system—we estimate the effect of a performance measurement system requiring private schools to (1) administer standardized tests to all voucher students in grades 3–8 and 10 and (2) submit the results to the state’s supervising agency for review, analysis, and public reporting. Results of our analyses demonstrate that the performance measurement system produced gains in student achievement and that the magnitudes of these gains are substantial.... [T]he institutional efforts to increase test scores in the short term could be followed by longer-term quality improvements generated by families’ use of the newly provided information to make better schooling decisions.” (Carlson, et. al. 2013)

Based on these findings, expanding the school report cards to include choice schools will help clarify school performance and continue to improve student performance.

BUILDING A BETTER REPORT CARD

Ensuring accuracy and fairness through high quality data. Act 20 required choice schools to integrate into the state’s data system within five years. That timeline was based on the implementation of a single-vendor statewide student information system (SSIS). However, the Joint Finance Committee

amended the budget to create a multi-vendor system, which will result in the state upgrading much of its existing infrastructure and enabling all schools to use the vendor of their choice.

Since there is no longer a mandatory SSIS, the proposed legislation establishes a new timetable for choice schools to provide report card data beginning in 2014-15. Data collection is restricted to choice students only and schools may choose any commercially available data system they wish. Additionally, the implementation of a new student identifier system will significantly improve data accuracy, especially as students migrate among schools.

Please note, it takes a minimum of two years of data (preferably three) to calculate school report cards, and the minimum group size (i.e., the smallest number of students in a group for which a report card can show data) is 20. This ensures that as many students as possible are included in performance results, while still protecting the privacy of the students.

Defining a continually improving school report card. One of the greatest flaws of NCLB was the way in which it locked in rigid, unrealistic student achievement goals and did not allow the accountability system to evolve and incorporate new metrics like student growth. The new Wisconsin accountability system was designed to be more dynamic, adapting to new assessments and incorporating data elements such as military readiness exams and industry certifications for high school students as they become widely available.

As previously noted, the new report cards are governed by the NCLB waiver process. Methodologies and calculations are reviewed by an independent state-level technical advisory committee (TAC) and are subject to approval by U.S. Department of Education (ED).

Accountability systems by their nature tend to be complex. While maintaining simplicity is an important goal, it often fails to reflect the diverse challenges schools faces and undermines the validity and fairness of the system. In contrast, using multiple metrics, multiple years of data, and weighting produces a significantly more accurate and robust accountability system. Transparency is paramount with all the documents, processes and materials published online. Simplicity is preserved by organizing the final scores into easily understood, color-coded rating categories presented on a parent-friendly report card cover page.

Meetings, trainings and webinars were held across Wisconsin to familiarize schools with the new report cards, and new resources were created to help parents, educators and policy-makers understand the report cards. The interpretive guide provides a narrative explanation, while the technical guide is a step-by-step walkthrough of the calculations.

2012-13 Report Cards and Resources (<http://reportcards.dpi.wi.gov>)

- [Interpretive Guide](#) - (8/7/13)
- [School Technical Guide](#) - (8/2/13)
- [District Technical Guide](#) - (8/7/13)
- [Parent Guide](#) - (8/7/13)
- [Report Card at a Glance](#) - (8/7/13)
- [FAQ](#) - (8/7/13)
- [What's New](#) - (8/7/13)
- [Sample Parent Letter](#) - (8/7/13)
- e-Learning Module: A Guide to Wisconsin's School Report Card - coming soon
- e-Learning Module: A Guide to Wisconsin's School Report Card (iPad Version)