

**Feedback on Assembly Substitute Amendment 1 to Senate Bill 286 (LRB 13s0371/1)
March 13, 2014**

Based on a brief review of the bill draft and recent discussions with legislative staff, ASA 1 to SB 286 incorporates several improvements from other recently circulated drafts; however, several new problematic elements related to public school sanctions also have been introduced. Significant improvements include:

- Maintaining 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.
- Maintaining the current category labels, reflecting the work of the Accountability Design Team.
- Creating a pathway for including college and career ready metrics in future report cards.
- Including two appointees for the State Superintendent to the Academic Accountability Council. While this does not achieve parity, it is a step in the right direction.
- Establishing an Academic Accountability Council to review the report card metrics, codifying a process for recommending improvements.
- Removing the restrictive Charter Management Organization (CMO) requirement, in favor of broader, more feasible chartering language.

The Department of Public Instruction (DPI) is committed to passing a workable accountability bill that aligns state and federal accountability requirements, creates a uniform school report card, and includes all publicly-funded students.

In general, ASA 1 accomplishes the later two goals, but significantly undermines the first (aligning state and federal accountability for public schools). ASA 1 creates a hodgepodge solution for public schools, stitching together random elements of the four federal school improvement models to create a one-size fits all strategy that will not serve diverse school types well. Moreover, ASA 1's public school accountability provision conflicts with federal law and will limit public school improvement efforts. However, this concern can easily be address by:

1. Delete the requirements under the proposed 118.425 (Section 38, p.25-26) and maintain the stringent current law requirements for public school accountability;
2. Replace the requirements under the proposed 118.425 (Section 38, p.25-26) with federal school improvement language provided previously by DPI; or
3. Defer the legislation to next session and convene stakeholders over the summer to resolve outstanding issues regarding accountability.

The DPI has identified a few other areas of major concern, beyond the public school sanctions and state-federal alignment issues. In particular:

Accreditation. Under ASA 1, schools in the lowest performance category have to go through the accreditation process. Accreditation is a quality assurance process that evaluates the core elements necessary to operate a school. However, accreditation is not necessarily a process or measurement of school effectiveness or improvement,

The Design Team, which included choice and charter leaders, recommended using a diagnostic review process to identify school-specific challenges and requiring custom interventions and sanctions, based on the identified challenges. Substituting accreditation as part of a public school turnaround strategy requires further exploration.

Ineffective Teachers. This latest approach to keeping ineffective teachers out of low-performing schools casts a prohibitively wide net that could restrict qualified and effective educators from working in low-performing schools. In the absence of available teachers, schools may be forced to hire inexperienced, unlicensed educators using emergency permits to fill vacancies in core academic subjects. This also could create significant staffing problems in rural schools.

In general, recent legislative efforts have expanded the authority of school leaders and locally-elected school boards to make personnel decisions. Adopting arbitrary policies around employment is counter to this effort. A more effective approach would be to provide incentives for high-performing teachers to move into low-performing schools.

Parallel Private School Report Card. Crosswalking nationally-normed assessments and constructing a second, parallel report card model is a significant, technically difficult, and costly undertaking. This is particularly concerning given that it is unclear how many schools would pursue this option.

While the DPI opposes having a parallel private school report card, it would be simpler, more transparent, and less costly to simply incorporate reporting the school ranking on the nationally-normed assessment into the existing report card for voucher students.

Legislative Trigger for Sanctions. Under ASA 1, the sanctions for all school types cannot go into effect unless the legislature passed a subsequent bill (based on the advisory committee's work) to "activate" or modify that part of the statute. This is an unusual provision that seems to reflect a general concern around the proposed sanctions.

Simplifying the public school sanctions per DPI's recommendations (see page one) would help alleviate that concern, while still allowing the Accountability Council adequate time to make recommendation based on school data.

Technical comments around the latest draft can be provided upon request. 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.