

ESSA Implementation in States and School Districts Perspectives from Education Leaders

Senate Committee on Health, Education, Labor and Pensions (H.E.L.P.) — February 23, 2016
Testimony of Tony Evers, State Superintendent of Public Instruction, Wisconsin

Thank you Chairman Alexander, Ranking Member Murray, and members of the committee for the opportunity to testify today.

In addition to being state superintendent of public instruction in Wisconsin, I currently serve as the President of the Board of the Council of Chief State School Officers (CCSSO). As president, I am working to help CCSSO promote equitable educational opportunities for all students in the country, regardless of state or Zip code. Successful implementation of the Every Student Succeeds Act (ESSA) is fundamental to states being able to achieve this objective.

This body is well aware of CCSSO's strong support of the ESSA. State chiefs have been active over the past year in setting clear priorities for the reauthorization of the Elementary and Secondary Education Act (ESEA) and voicing our support as legislation moved through Congress.

Now that the bill has become law, we remain committed to leading in implementing this new law with fidelity to ensure it lives up to its promise of every child succeeding — no matter their background or where they attend school. As an organization and as individual state chiefs, we have continued to voice support for this law and the responsible implementation of this law, including the proper federal role, through public statements, official public comment, and now through these hearings on implementation in the House and Senate.

We look forward to continued coordination with all partners working to help states transition to the new law.

I have spent my career as an educator, working for over 30 years in education. I have been a teacher, principal, administrator, and deputy state superintendent, before being elected Wisconsin State Superintendent of Public Instruction in 2009 and re-elected in 2013. In that time, it has become clear to me that, while there is a limited role for the federal government, primary decision-making authority regarding public education is best left to states and local districts. The role of the federal government should be to ensure accountability for student achievement, while providing states and local districts the resources and support to innovate and pursue effective strategies for their students.

The Every Student Succeeds Act reflects a bipartisan acknowledgment that states and local educators are in the best position to determine how to raise academic achievement. We have seen some positive early signs from the U.S. Department of Education as it supports states' transitions into the new law, and we encourage them to maintain this focus throughout the regulatory and guidance process.

State and local leaders are committed to achieving results for all of their students, but under No Child Left Behind (NCLB) overly prescriptive federal mandates on the overall design of statewide accountability systems left states and local districts without the ability to tailor school improvement strategies to the unique needs of schools and students. Now, with the stability and flexibility promised by ESSA, we stand ready to develop programs more suited to the unique needs of our schools and students, and let me assure you that we are committed to using additional flexibility under the new law to improve educational outcomes for all students.

In Wisconsin, we are referring to this transition as moving from NCLB-prescribed to ESSA-informed. The federal law now informs our work, but does not dictate how we go about it. We expect the Department of Education to maintain the flexibility of this latter focus, as the law intends, and avoid undue prescription.

Our efforts in Wisconsin are first and foremost to ensure people understand the tenets of the new law and the flexibility available to us. This effort begins with stakeholder engagement — with bringing together educators, parents, students, business leaders, civil rights groups, tribal representatives, advocates, higher education, legislators, our governor and others to determine the best approaches for educating *all* children.

Our engagement strategy starts with our existing formal collaborations, such as our existing Title I Committee of Practitioners and the school districts who are the focus of our state Title I educator equity plan, and expands upon it this spring with statewide listening sessions, a virtual discussion, and online feedback for all of the stakeholders we hope to engage. We want to use these listening sessions as an opportunity to hear multiple perspectives of what is working in the state, what needs to be changed, and how people envision flexibility in practice. This will give us an opportunity to lay out an initial direction for the state plan we will need to submit under the new law.

We are hoping that the Department of Education is able to finalize any implementation regulations this fall so we have a more complete picture of the law as it will be administered. It is our hope to then take those details, along with our initial plans back out to our broad stakeholder coalition for another round of feedback and discussion. It is critical to us that we have broad agreement as to how we will implement this law in Wisconsin.

Now that ESSA is in place, I, like many of my colleagues across the nation, am eager to use the flexibility inherent in the law to build upon strategies we know work and create congruence with state goals. The ability to focus on state goals in the context of the larger federal law is extremely important. We don't want to be working on disparate efforts that arbitrarily spread our resources and provide mixed messages concerning the work we need to do to ensure every child graduates college and career ready. That is our goal in Wisconsin and our agenda.

We have worked in Wisconsin to set a definition of college and career ready and establish targets for closing gaps and increasing graduation rates with work focusing on four main questions.

1. What and how should kids learn?
2. How do we know if kids have learned?
3. How do we ensure kids have highly effective teachers and schools?
4. How should we pay for education in public schools?

I know other states have also set educational goals and agendas. I am sure I speak for those chiefs as well when I say that the ability to focus in on what our state feels is important to address is critical in our efforts to support and improve educational outcomes for all students.

Now that states have the authority to establish goals and design accountability systems, Wisconsin is eager to take the lead in generating stakeholder feedback about how we can continue to improve these systems so that they reflect best practices and ensure that all students, including low-income students, minority students, and those with disabilities, have access to a high-quality education.

The original ESEA represents a seminal piece of civil rights legislation. The chief state school officers are committed to this legacy and as president of CCSSO I have made it clear that equity will be our priority. This is not just a focus in Wisconsin, but equity is a priority across our entire organization — for every state education chief, no matter their demographics or the challenges within the state. We have a common goal to make sure every child succeeds and to provide the supports necessary to accomplish this goal. I look forward to working with my colleagues to close achievement and opportunity gaps that have persisted for far too long in our states today.

In Wisconsin, we have a lot of work to do. We have one of the largest achievement gaps in the country between students of color and their peers. I will be convening a standing group of people, including those in the civil rights community, to regularly consult with and provide updates to in regards to this law and other issues facing our schools. Openness and communication is key to ensuring that a focus on equity stays in the forefront.

I also plan to use the flexibility of the new law to bring the work of my Achievement Gap Task Force into Wisconsin's work to implement ESSA. That group helped identify practices in schools and districts, using our state data, which demonstrated success closing achievement gaps. We then synthesized that information into learning modules for educators and interested members of the public to utilize. We plan to continue that work through a Statewide Longitudinal Data Systems Grant and partner with our flagship public university, the University of

Wisconsin-Madison, to pinpoint the needs of educators and provide them with research-based practices. Again, the flexibility in ESSA is allowing us to explore improvement strategies focused on closing the achievement gap that would have otherwise been a separate discussion as they were not part of the Department of Education's model.

Additionally, Wisconsin was at the foreground of developing a local accountability system that is reflective of the needs of our various partners. Our state report cards were designed with the input and guidance of the chairs of our legislative education committees, the governor, and the many organizations that support our public and private schools. The result of that work has been praised as one of the nation's best report card formats for parents and community members by the Education Commission of the States. We look forward to using the new flexibility ESSA provides to update our report cards to include information regarding college and career readiness, along with other metrics our partners have identified as being important for their constituencies.

The progress we envision that Wisconsin can make under this new law will only be possible if we do not face new regulations that turn what was a good education law into a set of top-down mandates from Washington. In the recent months since the law passed, the Department of Education has demonstrated a good partnership with states, providing helpful guidance on key issues such as how states can transition away from Highly Qualified Teacher regulations. I applaud these positive steps from the Department of Education and appreciate their efforts to clarify congressional intent and leave these necessary decisions up to states and local communities.

Going forward, as states and local districts implement this law, it is clear the Department of Education has a critical role to play in providing states with guidelines and guardrails on the new law. I and my fellow state chiefs are open to regulations that clarify the expectations for states under the new law, not how to achieve those expectations. For example, as Wisconsin outlined in the written comments we submitted to the Department of Education on January 21, these areas include how states will determine which students take alternative assessments, whether Congress intended for high schools identified under Section 1111(c) because of low graduation rates need to be Title I schools, and critical implementation dates and deadlines. However, regulation and guidance should be limited to providing clarity on otherwise ambiguous or confusing issues, not implementing additional, prescriptive requirements that limit flexibility for states and local districts, and that fly in the face of clear congressional intent.

In addition, a major issue that has been raised is how the federal government can be certain that, with the increased authority and flexibility provided to states, it is possible to ensure that states and local districts are focusing on improving outcomes for all students and subgroups of students. In states like Wisconsin, we welcome oversight of the progress we are making, but it is important that states and local districts have the flexibility to identify how we achieve the goals we have set for students: the measures we include in our accountability system, the weight we give these measure, and how we design interventions that reflect the realities facing unique student populations across the state. After all, we all recognize that the one-size-fits-all approach from No Child Left Behind was not getting us to where we needed to be.

Again, thank you for allowing me to testify, and thank you for passing this new law. States are ready, willing, and able to lead. We need the Department of Education to trust us, and let us develop the accountability systems that our children need and deserve. Federal regulations should focus on providing states the guidance and support they need to develop systems that meet the goals of the new law, while ensuring that policies governing implementation reflect the greater flexibility embodied in the statute.