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Smarter Balanced States Approve Achievement Level Recommendations

Inclusive, collaborative process collected input from thousands of educators and community members using rigorous design; initial achievement levels will help teachers and parents monitor student progress and focus support in the classroom

OLYMPIA, WASH. (November 17, 2014) —Members of the Smarter Balanced Assessment Consortium have voted to approve initial achievement levels for the mathematics and English language arts/literacy (ELA) assessments that will be administered in 17 states and one territory this school year. The vote marks an important milestone in the development of the assessment system.

“These initial achievement levels were developed with input from thousands of educators and community members, reflecting a diverse cross-section of views on education. Moving forward, the achievement levels, along with scale scores that also will be reported, will help teachers and parents understand student performance and needs for support,” said Smarter Balanced Executive Director Joe Willhoft.

The achievement levels serve as a starting point for discussion about the performance of individual students and of groups of students in mathematics and English Language arts. There are other measures that students, teachers and parents can also use to help evaluate the academic progress of students and schools, such as scale scores, growth models, and portfolios of student work. The states also unanimously approved a position paper to provide broad guidelines for how the scores and achievement levels can be used and interpreted by state officials, parents, teachers and other stakeholders (see attached).

Since Smarter Balanced is offering assessments for both ELA and math for grades 3-8 and high school, the recommendations include achievement level scores for both subject areas and at each of those grade levels. The attached charts display the threshold scores that distinguish four achievement levels and display the estimated percentage of students across all Smarter Balanced states who would have scored at each level based on data from the Consortium’s spring 2014 field test. Smarter Balanced estimates that the percentage of students who would have scored “Level 3 or higher” in math ranged from 32 percent in Grade 8 to 39 percent in Grade 3. In English language arts, the percentage of students who would have scored “Level 3 or higher” ranged from 38 percent in Grade 3 to 44 percent in Grade 5. See the attached charts for further details.

“Because the new content standards set higher expectations for students and the new tests are designed to assess student performance against those higher standards, the bar has been raised. It’s not surprising that fewer students could score at Level 3 or higher. However, over time the performance of students will improve,” said Willhoft.

Willhoft added, “It’s important to note that the figures released today are a Consortium-wide estimate based on the spring 2014 Field Test. Once the operational assessment is administered in 2015, states will have a much clearer picture.”

To create the achievement levels, Smarter Balanced organized an unprecedented level of educator and public input, involving thousands of interested constituents, using a rigorous process known as the “bookmark procedure.”



During an in-person panel, held in Dallas, Texas, close to 500 teachers, school leaders, higher education faculty, parents, business and community leaders reviewed test questions and determined the threshold scores for four achievement levels for each grade and subject area. Member states had representatives at each grade level for grades 3 through 8 and high school. Educators with experience teaching English language learners, students with disabilities and other traditionally under-represented students participated to help ensure that the achievement levels are fair and appropriate for all students.

In addition, an online panel was open to educators, parents and other interested members of the community to provide unprecedented input on the achievement levels. More than 2,500 people participated in the online panel.

A cross-grade review committee composed of 72 members of the in-person panels then took the results of the online and in-person panels into account to develop recommendations that coherently aligned across grades and that reflected student progress from year to year.

As an additional step, Smarter Balanced engaged an external auditor, an Achievement Level Setting Advisory Panel and its standing Technical Advisory Committee to review the recommendations before they were presented to the states for approval. The auditor and both advisory panels certified that Smarter Balanced conducted a valid process that is consistent with best practice in the field.

In approving the Achievement Levels, Smarter Balanced member states relied primarily on the recommendations from the Achievement Level Setting process. Members also gave consideration to other sources of information about the general content readiness of high school students to engage in credit-bearing college-level work. This included a comprehensive body of research on [college academic preparedness](#) of high school students conducted by the National Assessment Governing Board (NAGB), the oversight body for the National Assessment of Educational Progress.

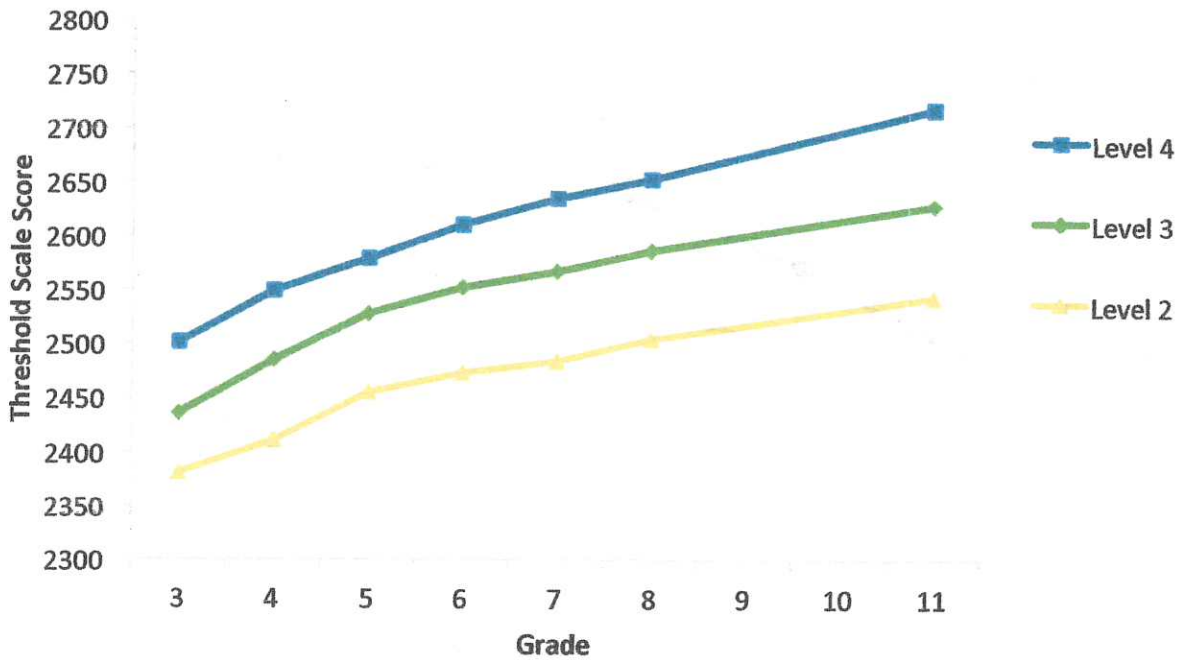
Over the coming months, member states will present these achievement level recommendations to the policy-making entities that have the authority to formally adopt achievement levels in each state. This authority most typically rests with the state board of education.

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About Smarter Balanced

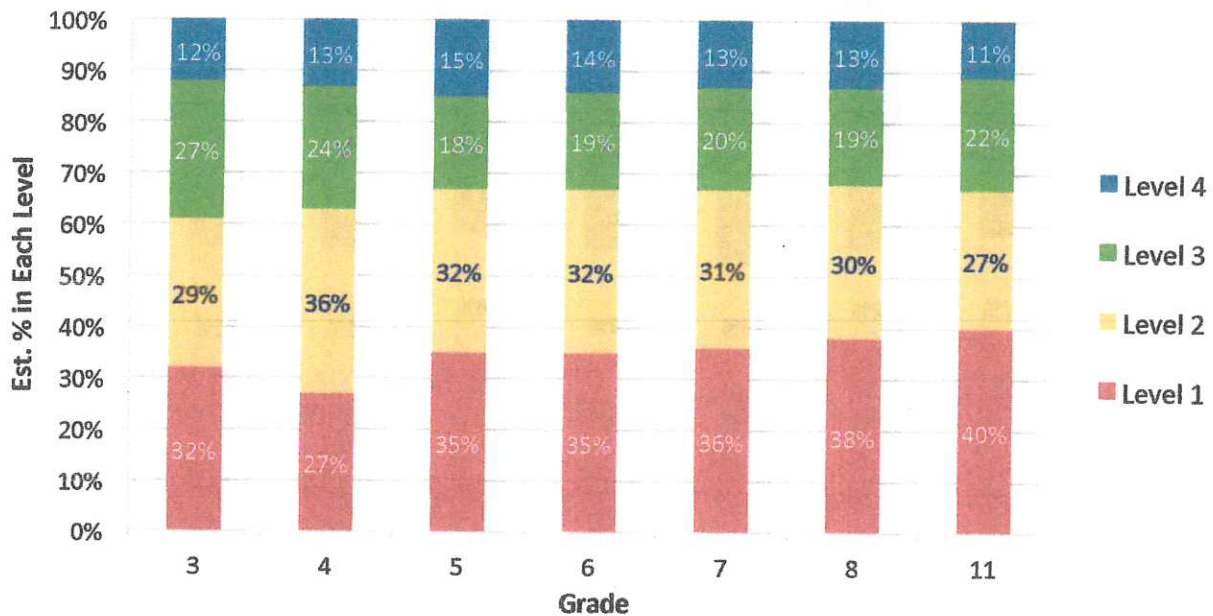
The Smarter Balanced Assessment Consortium brings together states to create a shared, innovative assessment system for mathematics and English language arts/literacy that is aligned with the Common Core State Standards and helps prepare students for success in college and careers. The Consortium involves educators, researchers, policymakers, and community groups in a transparent and consensus-driven assessment development process. For more information, please visit www.smarterbalanced.org.

Mathematics: Threshold Scale Scores



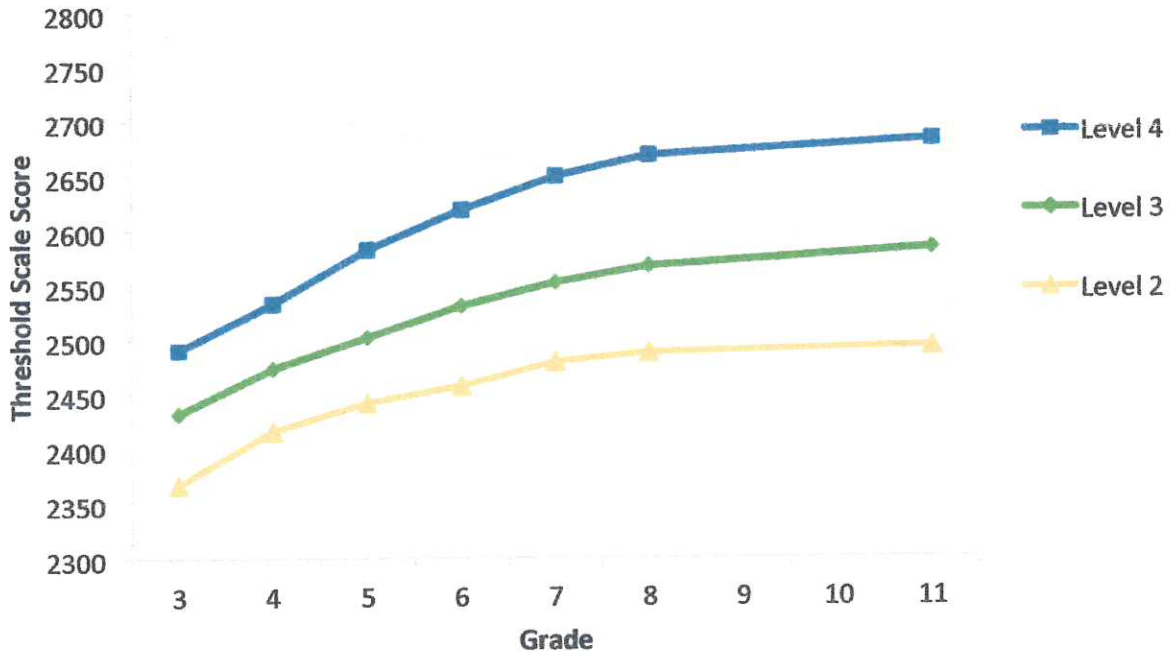
Adopted November 14, 2014

Mathematics: Estimated Percentage of Students Scoring at Each Achievement Level



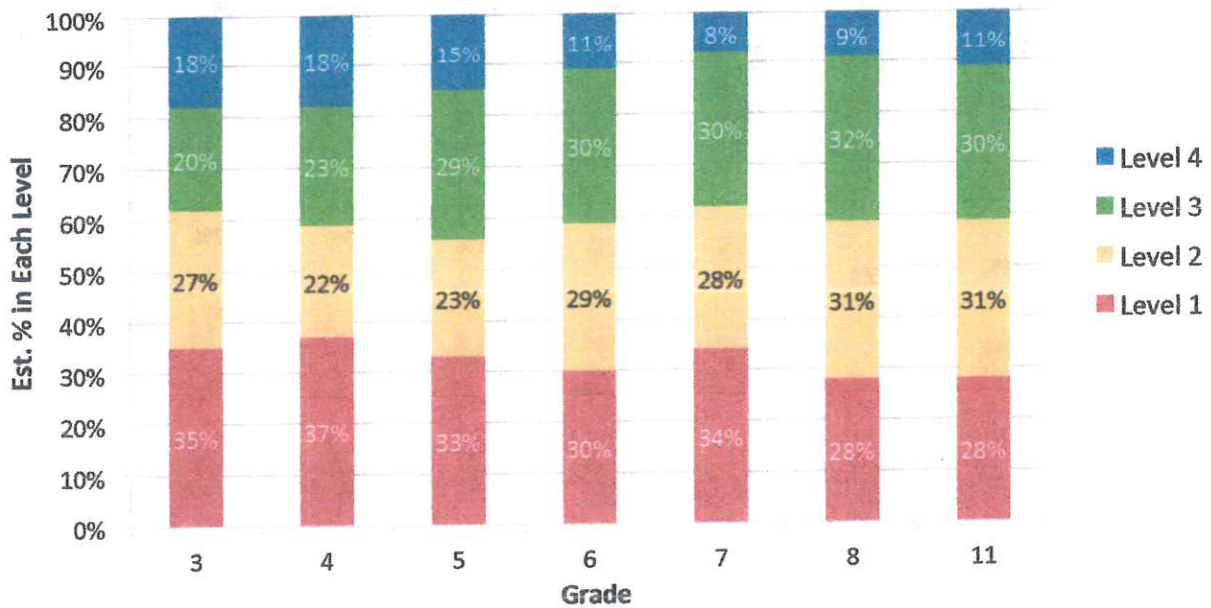
Estimates based on Spring 2014 Smarter Balanced field test in 21 states and USVI.

English Language Arts/Literacy: Threshold Scale Scores



Adopted November 14, 2014

English Language Arts/Literacy: Estimated Percentage of Students Scoring at Each Achievement Level



Estimates based on Spring 2014 Smarter Balanced field test in 21 states and USVI.



Written Testimony Submitted by State Rep. Frederick Kessler

**Assembly Committee on Education
January 14, 2015**

Chairman Thiesfeldt and members of the Committee on Education, thank you for the opportunity to submit written comments on the proposal before you today, 2015 Assembly Bill 1.

Let me first say that I agree with the notion that we need to do what we can to make certain public schools are working well and serving the interests of students and their parents. Some degree of accountability must be placed on all schools and current law directs the Department of Public Instruction to do just that. Again, current law allows for that and it allows for the Superintendent of Public Instruction to intervene when a school is identified as low-performing.

However, Assembly Bill 1 repeals all those provisions and replaces them with yet another politically-appointed, unelected board that the current majority is confident it can influence in a variety of ways.

Without question, Assembly Bill 1 is an attempt to usurp the authority of local officials - and, in this case - an elected constitutional officer, the State Superintendent of Public Instruction - and instead delegate that authority to an unelected "Academic Review Board" comprised of the State Superintendent of Public Instruction and twelve additional persons, some of whom will be nominated by the Superintendent and the remainder by the Governor and/or Legislature.

The practical effect of the creation of the Academic Review Board will not only be further politicization of our educational system, but a watering down of the authority of the State Superintendent to do the job the citizens of Wisconsin elect them to do. This is a mistake.

Article X, Section 1 of the Wisconsin Constitution in part reads, "*The supervision of public instruction shall be vested in a state superintendent and such other officers as the legislature shall direct; and their qualifications, powers, duties and compensation shall be prescribed by law...*" This has been the beginning introduction from the state constitution regarding the State Superintendent of Public Instruction from 1848 to the present... "the supervision of public instruction shall be vested in a state superintendent..."

You may say that in Assembly Bill 1 you are simply adding such other officers as we are entitled to do as a Legislature, but by creating an Academic Review Board of which the State Superintendent has his/her supervisory power diluted (or shared or taken...however you want to describe it) by being only 1 of 13 members, you are effectively usurping his/her constitutional authority for "the supervision of public instruction."

In addition to the politics involved in the creation of the Academic Review Board and the politics involved in appointing its members, the system that you are proposing in Assembly Bill 1, as I have mentioned, will replace the authority of the local school boards in our state with a 13-member, politically-charged, and unelected Academic Review Board.

Assembly Bill 1 is a continuation of the recent actions of the majority party to get as far away from your former rallying cry of "local control" and instead, consolidate power while you have it in order to have your way with cities, counties, townships, villages - and now, school boards.

While I urge the committee to reject this proposal, I know the reality. However, you can be certain that I will oppose this bill on the floor of the Assembly and urge as many interested parties to express to you their opposition as well.

Thank you for your consideration of my remarks.



KATHLEEN VINEHOUT

STATE SENATOR

Testimony of Senator Kathleen Vinehout on Assembly Bill 1 -"School Accountability" Assembly Committee on Education January 14, 2015

Thank you Mr. Chair and members for the opportunity to address you today. I appreciate your concern for the education of our children.

This bill is something called 'accountability' but, instead, is it a deliberate wave of destruction sweeping away neighborhood schools controlled by local school boards.

We've had a school accountability system in place for a while. Those of you who voted for the last budget voted to improve this system; to begin assessing students using the ACT and Smarter Balanced national tests.

Wisconsin has tested students for a long time. Tests today give us mountains of data.

The tests help us see the problems. They provide insight into what's going on. But the tests themselves are not the solution.

Proponents say this bill is about school reform. But the bill is not about targeted interventions to fix problems and improve schools. The resolution to poor public school performance is conversion to an independent charter school.

There is no reason to believe closing a school and re-opening it as an independent charter would produce superior results. If independent charter schools are no more successful than public schools, this remedy makes no sense.

Let's face it – the bill sets up a system to punish poor performing public schools.

Far too long policymakers have seen punishment as the solution to struggling public schools. But punishment doesn't work. I suggest instead of punishment, let's take a look at what does work.

To prepare for this hearing, I read a couple of books. I brought one of them with me: *The smartest kids in the world and how they got that way* by Amanda Ripley. Ms. Ripley is a journalist tired of the usual education battles. She takes no partisan bent. Instead, she follows several US students studying abroad in South Korea, Finland and Poland. She focuses on the facts – especially those aspects of the foreign systems that we might or might not want to adopt.

The smartest kids in the world came from systems where everyone – kids, parents, teachers – saw getting an education as a “serious quest.” The curriculum was sophisticated and focused. Tests were challenging and measured critical thinking not rote learning; there was even a more rigorous conversation around the dinner table.

The top countries in the world spent more money on the remote or disadvantaged schools. Spending on education was tied to need, which only makes sense. The more disadvantaged the more money the school received¹. Teachers were highly educated; most had some graduate education; teacher colleges were serious and rigorous. Highly educated teachers chose material that was more rigorous. Everyone knew teachers were highly educated, serious people doing a hard job. Teachers got more autonomy to do their work like true professionals. As Ripley wrote, “They were accountable for results but autonomous in their methods”.

Which leads us back to accountability and AB1; Wisconsin doesn’t do so well on international tests. We are at about the same level as Hungary. Nationally about 29 other nations rank above the US in math.

But, why not Wisconsin education leading the nation; heck, why not Wisconsin leading the world?

We don’t have to go far to find out how to lead the world. Just look west to Minnesota – ranking second in the nation in math next to Massachusetts. A few years ago, elementary kids (in Ripley’s words) “rocked a major international math test, performing at about the same as the kids in Japan...Roughly speaking, Minnesota ranks below just a few dozen countries (including Canada, Korea and Finland) in math proficiency.”

How did Minnesota do it? They agreed on a single set of clear, targeted standards. Teachers focused on a few topics each year – but in depth: a rigorous approach. Kids no longer dabbled in fractions for 8 years. They’d start fractions a few years later but were done in 5 years.

They started with common standards across the state². This is the idea behind Common Core: to introduce the rigor our children need to succeed in tomorrow’s world.

Accountability makes no sense when it undermines our larger education goals. AB1 takes us away from our broader education goals; these are goals upon which we all agree.

We all want children to learn – a lot. We understand the world is changing. To succeed in a global economy our children need to be driven. They need to know how to adapt- they are going to be doing it all their lives. A rigorous education is critical to our kid’s life opportunities.

¹ Ripley wrote the ‘backwards math’ of poorer schools spending less per student than wealthier schools is one of the most obvious differences between the US and other countries. Ripley, A; *The Smartest Kids in the World*, 2013 p.140.

² Ripley says the most glaring problem in America is the mishmash of directives. The state has one idea, the locals another; the required test has nothing to do with the curriculum. In the US, the average 8th grade math textbook is 800 pages; internationally the average 8th grade math textbook is 225 pages. Why? In the US there are hundreds of different districts with different standards and levels of rigor. Every topic is covered over and over again. Kids learn different things in different schools. And kids are bored, repeating the same lesson in grade after grade.

We want our children to work hard. They need to think critically; to persevere, to understand the consequences of their actions. We want them to pick themselves up and dust themselves off when they fail and to get right back to work – something called academic resilience.

We know what to do to improve schools. Students need access to books. They need breakfast. They need to be healthy to learn. Poor students, special education students and non-English speakers need additional help.

If we truly want to help kids, school improvement doesn't mean shuttering the neighborhood school; it means investing in proven, meaningful changes in our children's education.

Thank you. I look forward to continuing this discussion.

**Assembly Committee on Education
January 14, 2015**

**Wisconsin Department of Public Instruction
Testimony in Opposition to Assembly Bill 1**

Representative Theisfeldt, thank you for your commitment to improving educational outcomes and holding 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 Assembly Bill (AB) 1 as drafted.

The recent work and discussion around school accountability began more than five years ago. Advocates, legislators from both parties, policy experts, parents and educators began an unprecedented, systemic effort to improve educational outcomes. These included new district and school report cards, an educator effectiveness system, interventions for low performing public schools, college-and career-ready standards, interoperable data systems, academic and career planning, and next generation assessments.

A comprehensive accountability system for all publicly-funded schools has always enjoyed broad support. However, the devil has been in the details in getting a bill passed.

There have been countless bill drafts, proposals, counter proposals, legal reviews and negotiations all aimed at bringing a widely held value (accountability for all schools) to fruition in an equitable, feasible way that is: (1) easily understood by parents and the public; (2) fair to wide-ranging types of districts and schools; and (3) constitutional with regard to the state superintendent's authority and private schools' autonomy.

Despite the challenges, the legislature has enacted school accountability legislation in all three previous legislative sessions:

- **2009 WI Act 28** required students in choice schools to take the state assessment.
- **2009 WI Act 215** strengthened the state superintendent's authority to intervene in low-performing schools and districts.
- **2011 WI Act 32** (*2011-13 State Budget*) updated assessment and data systems.
- **2011 Accountability Design Team** led by Gov. Walker, State Superintendent Evers, Senator Olsen and Representative Kestell.
- **2013 WI Act 20** (*2013-15 State Budget*) required choice schools to receive report cards; codified the report cards in statute.
- **2013 WI Act 237** strengthened pre-accreditation requirements for choice schools.
- **2013 WI Act 256** clarified choice school interoperability in the state data system and uniform use of data for all schools in the accountability system.

Assembly Bill (AB) 1 builds upon those previous proposals and is a first step in (hopefully) resolving the accountability conversation and providing stability and predictability for schools and communities around this issue. Based on our initial review, AB 1 makes some improvements over previous efforts, but also raises several constitutional issues and policy concerns. Additionally, there are numerous technical and drafting errors, which appear to run counter to the author's intent.

Summary of Major Policy Concerns

- The **Academic Review Board (ARB) should make recommendations** subject to the State Superintendent's final approval. Granting the ARB decision making authority will run afoul the state constitution (see *Thompson v. Craney*).
- The state should continue to rely on **one, uniform assessment for accountability**. Multiple tests reduce validity, transparency, and accuracy –significant problems for high stakes accountability.
- Adopting **"Grades" will negatively impact how parents and communities view the average school**. School performance data falls into a "bell curve" (or normal distribution). This means most schools fall in the middle and currently "meet expectations." Relabeling those as "C" schools will negatively impact the public's perception of those schools, since the average grade students earn in school is actually a "B." Most parents view "C" as underperforming.
- The business community and education stakeholders strongly support a continually improving accountability system that will incorporate more college and career ready data in the near future (AP and IB data, military readiness exam data, college enrollment and persistence data, workforce performance data, etc.). **This proposal limits the ability to integrate new college and career ready measures.**
- AB 1 uses only one year of data for determining report cards, which would make calculating growth impossible (even though it is required under the bill) and lead to significantly greater year-to-year variance in scores. **Including multiple years improves the accuracy and fairness of the report card measures for all types of schools.**
- **Independent Charter Schools are not the best solution or sanction for all districts.** In particular, this is not a viable solution for small rural districts, will disrupt children and parents' lives, and was a source of major contention at the end of last session.
- **The alignment between state and federal accountability needs revision.** The link between Focus and "D" schools should be removed and additional resources should be provided for school to implement priority and other improvement requirements. Potential issues around using federal funds to "supplement not supplant" state activities will have to be addressed.

Wisconsin's Nationally-Recognized Report Card

ECS lauds Wisconsin Report Card

"[Wisconsin](#) and Ohio were the only two states whose report cards were top picks by parents, while also meeting and reporting all five essential indicators."

– ECS Report



Parents and experts agree Wisconsin's School Report is among the best

ECS experts identified five essential indicators of meaningful accountability systems that states should measure and report:

- Student achievement
- Student academic growth
- Achievement gap closure
- Graduation rates
- Postsecondary and career readiness

While parents want report cards that

- Are easy to understand;
- Provide sufficient data; and
- Are useful

Wisconsin's School Report Card includes all five essential indicators and was highly ranked by parents.

According to ECS President Jeremy Anderson, "Wisconsin is a state dedicated to creating a high-quality accountability system, and to effectively communicating the results of such a system to the public. Transparency of accountability systems is essential for parents, educators, and policymakers to make informed decisions about their students and schools"

ECS identified several key policy issues to consider when developing accountability systems:

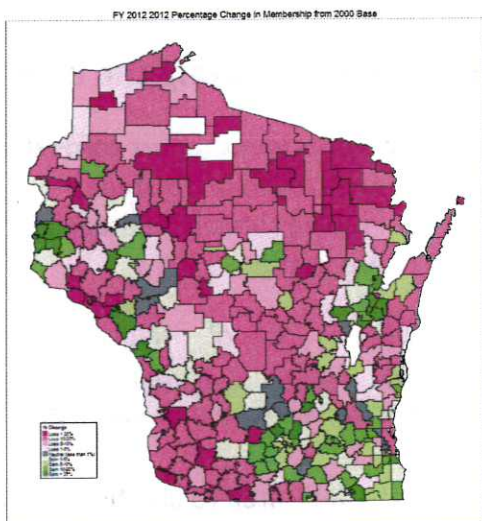
- Identify and publicize your state's "North Star."
- Re-engage people in your schools. Good communication is vital to ensuring the data and accountability story is easily understood by everyone.
- Choose your indicators and metrics carefully. Know how to use an indicator — make it less about grading and shaming and more about what research says works and how to address problems.
- Be realistic about the limits of your data system. Highly mobile students may create special challenges in tracking proficiency and growth data.
- Consider the potential unintended consequences of what's being measured, rewarded or punished.

Source: Education Commission of the State, *Rating States, Grading Schools: What Parents and Experts Say States Should Consider to Make Accountability Systems Meaningful*, May 28, 2014.

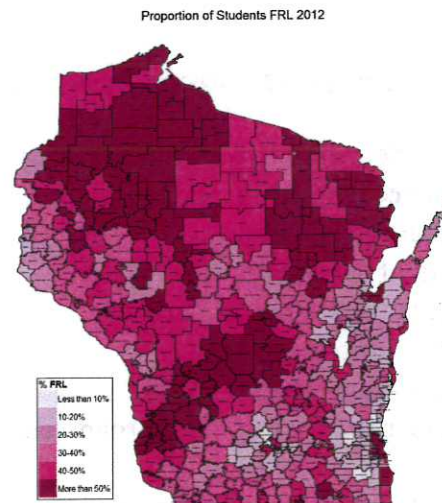
Sanctions & Differing Types of Schools

A robust accountability system must be fair and equitable for a wide array of public schools and districts with very different challenges.

Declining enrollment has concentrated students in fewer districts...



and those small, rural districts are facing growing poverty



Wisconsin has a large number of small, often rural school districts. In fact, **55 percent of districts enroll fewer than 1,000 students.**

In 2001, **1/3 of districts** were in **declining enrollment**, but by 2010, nearly **2/3 districts** were in **declining enrollment**.

While many districts are declining in enrollment, statewide enrollment has been stable—concentrating enrollment in a smaller number of districts. Today, **75 percent of students** are located in just **30 percent of districts**.

Cumulative Enrollment	Percentile	# of Districts	% of Districts
209,535	25%	8	2%
419,387	50%	41	11%
626,834	75%	114	30%
871,551	100%	424	100%

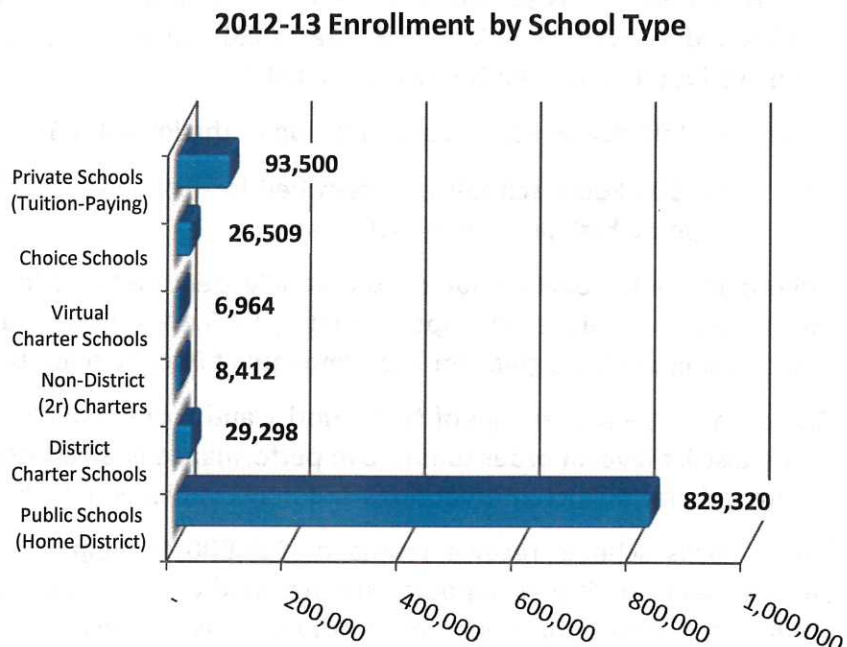
District Enrollment	% of Districts
Under 1,000	55%
Under 3,000	83%
Under 10,000	98%

Over the same period, statewide student **eligibility for Free and Reduce Lunch (FRL)** more than **doubled from 21 percent to 43 percent.**

The accountability system must also work well for all education sectors, driving improvement while recognizing inherent differences.

Most students attend a school governed by a local school board.

Wisconsin's 2,100 traditional public schools enroll almost 830,000 students (92 percent). Additionally, almost 30,000 students enroll in one of the 242 district charter schools (three percent) and almost 7,000 students (one percent) enroll in one of 30 virtual charter schools.



Efforts to ensure equity and fairness across education sectors (public, charter, and choice) are important as students move among school types, particularly in Milwaukee. However, while proportional representation on the ARB gives each sector an equal voice, it also greatly understates the role traditional public schools play in educating 92 percent of all students.

Fairness can be measured in many ways, and public schools should have sufficient representation to address the complexities of federal law, educator licensure, and state regulation.

Drafting errors will over-identify schools

The bill language states that any school receiving a D or F “in the 3rd school year of any 3 consecutive school years” is subject to sanction. This means a D or F is only required in the final year to trigger sanctions.

- **Using the 2013-14 data, this language would trigger sanctions on 224 schools in 47 districts, impacting 110,690 students and redirecting \$894 million in state school aid.**
- **If the legislation requires a D or F for three consecutive years, then 134 schools in 15 districts would fall under sanction, impacting 72,726 students and redirecting \$587 million in state school aid.**

The language should be redrafted so that sanctions should only be imposed on chronically low-performing schools.

Tying sanctions to federal Priority and Focus school designations will create challenges.

The Priority and Focus school designations were created in guidance related to the Elementary and Secondary Education Act (ESEA aka NCLB) waiver. They are not statutory terms and may not be included in the reauthorization of ESEA.

- The **59 Priority schools** are made up of the lowest 5% of Title I schools in the state.
- The **108 Focus schools** are identified for having large achievement gaps (but otherwise might be high performing schools).

DPI provides additional resources to federally identified Priority and Focus schools. The six non-MPS Priority schools receive approximately \$1.5 million per year in School Improvement Grant funds to support the significant requirements of Priority schools.

Due to the large percentage of MPS Priority and Focus schools, MPS interventions are targeted at the district level in order to improve performance in all schools. AB 1's focus on schools does not provide for district interventions and may conflict with MPS corrective action requirements.

Title I Focus schools receive grants of \$14,000 to help with costs related to professional development. Additional supports are provided to these schools. While the amounts are more modest, the same concerns as for Priority schools are raised.

AB 1 does not correctly align federal and state law. The focus school designation and interventions are based on achievement gaps, not overall performance. There is no relationship between being a focus school and rating Meets Few Expectations ("D") on the state report card.

The link between Focus and "D" schools should be removed and additional resources should be provided for school to implement improvement requirements. Potential issues around using federal funds to "supplement not supplant" state activities will have to be addressed.

Independent charters are not a feasible or appropriate sanction

Milwaukee and Racine have 23 non-district "independent" (2r) charter schools¹, which are public schools authorized by the following non-school board entities: UW – Milwaukee (12); City of Milwaukee (10); UW – Parkside (1); and Milwaukee Area Technical College (0).

In contrast to traditional public schools, independent charter schools are 100% state funded (no property tax); however, this state funding is created by withholding ≈1.5% of every district's general aid and redirecting it to the independent charters. Local districts then can increase their property taxes to make up the difference – essentially raising property taxes statewide.

¹ Non-district charters received \$8,075 per pupil in 2014-15 (compared to \$10,100 for the average district revenue limit), and were eligible for certain categorical aids (special education, bilingual-bicultural, etc.)

There is no evidence that converting a public school to an independent charter school is an effective solution to the performance issues of the school. Wisconsin's Charter Management Organization (CMO) capacity is inadequate for the scale of conversion.

Additionally, charter schools generally have lower rates of special education enrollment, which may be due to specialized mission.² Differences in mission and experience working with some student populations may limit some CMOs' effectiveness in turning around a low performing school. This is particularly true in Milwaukee, which has a disproportionately high prevalence of students with special needs.

2012-13 Students with Disability Enrollment Percentage

	Wisconsin	Milwaukee
District (non-charter)	14.9%	20.2%
District Charter	12.2%	14.9%
2r Charter	N/A	10.6%

Finally, under current law students attending an independent 2r charter are not entitled to transportation (either from the 2r or the district). Thus, if a district only had one middle school, which was converted to an independent charter under AB 1, the students would not receive transportation. This raises equity and uniformity issues.

Instituting independent charters as the ultimate sanction in the accountability system presents several problems:

- There is no evidence that converting a public school to an independent charter school is an effective solution to performance issues.
- Conversion may not be a viable solution for small rural districts, which may have only one school each for elementary, middle and high school grades.
- The sanction imposed on a particular low-performing school should not negatively impact the funding of all other public schools.
- Wisconsin's CMO capacity is likely inadequate for large scale conversions, and there has been little interest from CMOs in taking over large comprehensive high schools.

The accountability system also has to recognize the unique structure:

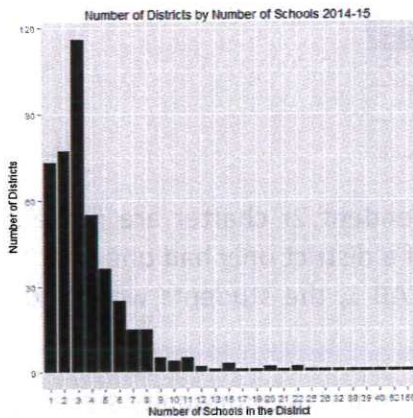
- Charters operate under a legal contract, which cannot be abrogated by state law. Any relevant sanction may need to be included in future contracts.
- Determining where the appropriate authority and accountability rests can be challenging for independent 2r charters, which are operated by a management organization, governed by a local advisory board, and authorized by an external entity.

² Note the School for Early Development & Achievement predominantly serves students with special needs.

Most districts have only one elementary, middle, and high school.³

Independent charters are not a viable solution for many districts that have only one or two schools (often a K-8 and high school).

There are 73 districts (16%) that only have one school for all grades and an additional 77 districts (17%) that only have two schools for all grades.⁴



- There are 274 districts (61%) with only one elementary school and an additional 58 districts (13%) with only two elementary schools.
- There are 346 districts (77%) with only one middle school and an additional 49 districts (11%) with only two middle schools.
- There are 304 districts (68%) with only one high school and an additional 50 districts (11%) with only two high schools.

The majority of districts with only one school are K-8 or Unified High School (UHS) districts. Additionally, independent (2r) charters are considered individual districts.

Type	Independent (2r) Charter	K-12	K-8	Unified High School (UHS)	Total
Count	23	5	35	10	73
Share	32%	7%	48%	14%	100%

In *Davis v. Grover* (1992) the Wisconsin Supreme Court found that uniformity clause is about giving children the opportunity to attend a free, uniform district school, not about mandating that they do so. So, while the legislature may expand educational opportunities, a sanction that eliminates students' access to traditional public school would likely be unconstitutional

Sanctions should be used to improve, not limit, educational options. A feasible accountability system has to have a meaningful pathway for public school improvement.

³ For this purpose, elementary school is defined as a school enrolling students in first grade, middle school is as enrolling students in sixth grade, and high school is as enrolling students in ninth grade.

⁴ There are 447 public schools and non-district charter (2r) schools with first grade or higher.

List of 73 Districts/ 2r Charters with only one school (district, type)

Mellen	K-12	Arrowhead UHS	UHS
Mercer	K-12	Big Foot UHS	UHS
Norris	K-12	Central/Westosha UHS	UHS
Princeton	K-12	Hartford UHS	UHS
Solon Springs	K-12	Lake Geneva-Genoa City UHS	UHS
Brighton #1	K-8	Lakeland UHS	UHS
Bristol #1	K-8	Nicolet UHS	UHS
Dover #1	K-8	Union Grove UHS	UHS
Erin	K-8	Waterford UHS	UHS
Fontana J8	K-8	Wilmot UHS	UHS
Friess Lake	K-8	21st Century Prep School	2R
Geneva J4	K-8	Bruce Guadalupe	2R
Herman #22	K-8	Capitol West Academy	2R
Lac du Flambeau #1	K-8	Central City Cyberschool	2R
Lake Country	K-8	DLH Academy	2R
Linn J4	K-8	Downtown Montessori	2R
Linn J6	K-8	Escuela Verde	2R
Neosho J3	K-8	King's Academy	2R
North Cape	K-8	Milwaukee College Prep--36th St	2R
North Lake	K-8	Milwaukee College Prep--North	2R
North Lakeland	K-8	Milwaukee Academy of Science	2R
Norway J7	K-8	Milwaukee Collegiate Academy	2R
Paris J1	K-8	Milwaukee Math and Science	2R
Randall J1	K-8	Academy	2R
Raymond #14	K-8	Milwaukee Scholars Charter	2R
Richmond	K-8	North Point Lighthouse Charter	2R
Rubicon J6	K-8	Rocketship Southside Community	2R
Salem	K-8	Prep	2R
Sharon J11	K-8	School for Early Development &	2R
Silver Lake J1	K-8	Achievement (SEDA)	2R
Stone Bank	K-8	Seeds of Health EI	2R
Swallow	K-8	Tenor High School	2R
Trevor-Wilmot Consolidated	K-8	Urban Day School	2R
Twin Lakes #4	K-8	Veritas High School	2R
Union Grove J1	K-8	Woodlands School	2R
Walworth J1	K-8	Woodlands School East	2R
Washington-Caldwell	K-8		
Wheatland J1	K-8		
Woodruff J1	K-8		
Yorkville J2	K-8		

Constitutional Concerns

The Academic Review Board should develop policy recommendations, but regulatory authority violates the state constitution.

The composition of the proposed Academic Review Board (ARB) is much improved over previous versions, and the ARB can play a crucial role in school accountability, developing recommendations and reviewing the metrics, weighting and impact of the system.

However, Article X, Sec. 1 of the Wisconsin Constitution vests the State Superintendent with the authority to supervise public instruction. Several provisions in the bill appear to violate the State Constitution, in providing the ARB with the authority to:

1. Approve alternative assessments that may be used by schools in lieu of those approved or adopted by the State Superintendent.
2. Establish, by rule, a comprehensive school review system that the Department must implement.
3. Specifies the information DPI may consider for each performance measure and prohibits the Department from considering other information. [It is not clear whether the ARB rule making authority extends to the ARB adding additional categories of information.]
4. Make a determination of a school's performance.
5. Direct the State Superintendent to impose (or lift) sanctions on schools as a means of intervening with low-performing schools.
6. Approve alternative improvement plans for school placed under sanctions.

The Wisconsin Constitution states that "supervision of public instruction shall be invested in the state superintendent, and other officers as the legislature shall direct." However, the State Supreme Court has consistently ruled that those other officers must be subordinate to the authority of the elected State Superintendent (*Thompson v. Craney*).

Thompson v. Craney, 199 Wis. 2d 674, 546 N.W.2d 123 (1996)

"Our review of these sources demonstrates beyond a reasonable doubt that the office of state Superintendent of Public Instruction was intended by the framers of the constitution to be a supervisory position, and that the "other officers" mentioned in the provision were intended to be subordinate to the state Superintendent of Public Instruction. Because the education provisions of 1995 Wis. Act 27 give the former powers of the elected state Superintendent of Public Instruction to appointed "other officers" at the state level who are not subordinate to the superintendent, they are unconstitutional beyond a reasonable doubt. If changes such as those proposed in 1995 Wis. Act 27 are to be made in the structure of educational administration—and we express no judgment on the possible merits of the changes—they would require a constitutional amendment."

This finding was affirmed by the circuit court with regard to 2011 Act 21, where the court ruled that the Legislature cannot give the Governor approval over Department of Public Instruction administrative rule scope statements because it undermines the state superintendent's constitutional authority.

Coyne v. Walker, Wisconsin Circuit Court, Branch 4, Oct. 30, 2012

"Act 21, like the statute in Thompson, involves not taking away some specific power from the Superintendent, but rather giving another officer superior authority over public instruction. Since rulemaking is one of the key ways the Superintendent supervises public instruction, giving the Governor, and in some cases the DOA Secretary, the right to veto any attempts at submitting scope statements or proposing new rules grants these officers superior authority over the supervision of public instruction. Under Thompson, this is unconstitutional."

ARB should develop policy recommendations that are subject to the State Superintendent's final approval to avoid litigation and constitutional concerns.

Maintaining a Strong Report Card

The state should use one, uniform assessment for accountability

Public schools and independent charters are required under federal law to take the state assessment. Additionally, 2009 WI Act 28 required choice schools to take the state assessment. For the last four years, the public has had access to performance information *on the same assessment* for all publicly funded students in Wisconsin.

The most accurate and fair comparisons across schools and students are made when the same tests, measuring the same knowledge, and administered under the same conditions, are given.

All comparisons decline at least somewhat in quality when results are equated across different tests, especially as the number of tests increases. Additionally, as the number and complexity of the tests increases so will the cost and time necessary to accurately equate results.

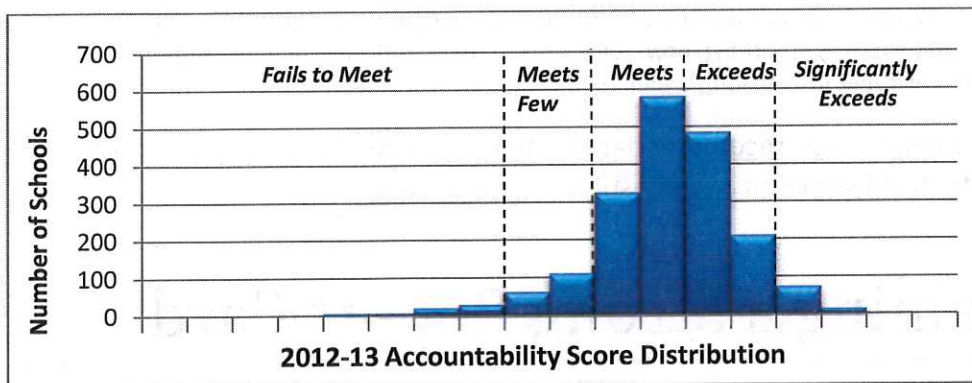
The accountability system should continue to use the state assessment. Higher costs and less confidence will not improve school accountability.

Student engagement indicators (absenteeism, drop out, etc.) should remain part of the report card calculations.

The bill also excludes measures of student engagement, including data regarding absenteeism or dropout rates currently used in the report cards. Absenteeism, in particular, is a measure that has drawn attention to attendance data in a different and important way. If the report cards are going to drive improvement, absenteeism, dropout rates, and student engagement are important indicators to maintain in the system.

Adopting “Grades” will negatively impact how families and communities view the average school.

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.⁵

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 school 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.

⁵ -- “The Nation’s Report Card.” U.S. Dept. of Education. <http://www.nationsreportcard.gov/>

Multiple years of data are needed to calculate growth, create stability.

AB 1 effectively limits the DPI to using one year of data for calculating the required area scores, which is likely to result in significant variability of grades from one year to the next.

Currently, the Department uses multiple years of data in order to ensure that measures are as fair, valid, and reliable as possible for schools of all types and sizes. The limitation to one year of data will make calculating growth (over more than one year) impossible, even though measures of growth are required under the bill. **All of the education sectors and members of the Accountability Design Team favored multiple years of data.**

Maintain current law with regard to using multiple years of data for report card calculations.

Including value-added growth will not significantly alter school ratings

Introducing value-added growth would disrupt the current report card system, while having a very marginal impact on growth and overall scores. Additionally:

- Using value-added growth without demographic controls would introduce new costs, and 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 $-.71$ to $-.70$ according to VARC modeling).

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.

January 12, 2015

Representative Jeremy Thiesfeldt
Room 16 West
State Capitol
P.O. Box 8953
Madison, WI 53708

Representative Thiesfeldt:

Thank you for your leadership in the state's efforts to strengthen accountability for all schools in Wisconsin – traditional public schools, public charter schools, and private schools participating in the Parental Choice Program. We agree with the overall goal of your efforts and want to serve as a partner to you and others as this critical work gets done over the next couple of weeks.

Overall, the changes that the bill makes to the report card are solid (although we suggest the bill spells out the weight for each measure in statute instead of leaving it up to the Department of Public Instruction to create them). From our perspective, these new report cards will give parents, educators, policymakers, and taxpayers a more accurate sense of how schools are doing than the current system. We think these changes are particularly important in light of the incentives and sanctions that the bill also creates.

At the same time, we have two major concerns with the bill that we'd like to share with you. With each concern presented, we also offer options for addressing it.

Concern #1: Approach to Sanctioning Independent Charters. We support closing chronically low-performing independent charter schools. In our view, though, the bill's approach to sanctioning independent charter schools undermines the ability of existing authorizing bodies to hold their schools accountable by shifting their authority to the Accountability Review Board (ARB) and the Department of Public Instruction (DPI). One of the unique aspects of independent charter schools is the fact that they have a performance-based contract with their authorizer that serves as the basis for accountability. If the school doesn't meet the goals in the contract, it faces possible closure. In fact, both of the primary authorizers of independent charter schools have closed charters for low performance. This bill inserts two entities – the ARB and the DPI – between the authorizer and the school, thus complicating how accountability will work for independent charter schools.

Alternative to Concern #1: To address our concern, we suggest that the sanctions in the bill for independent charters be removed and replaced with the following: The state's accountability system should prohibit an authorizer of an independent charter school from renewing the school's charter if the school is designated an "F" school under the state accountability system for the last three years of its charter, provided there is an process to appeal bad decisions or account for extenuating circumstances.

Concern #2: Scope of Authorizing Authority for the ARB. We support the bill's provisions to give the ARB the ability to authorize independent charters. However, as the bill stands now, the ARB would only be able to authorize the conversion of low-performing schools to charters. Most of the chartering activity across the country is via the creation of start-ups, not through conversions. Plus, most of the public charter schools achieving breakthrough results with disadvantaged students prefer to serve these students through creating new schools instead of taking over chronically low-performing ones. If the state only allows the ARB to authorize the conversion of low-performing schools to charters, we are concerned it won't lead to new, high-performing schools being created for the students who need them the most.

Alternative to Concern #2: To address our concern, we suggest allowing the ARB to authorize start-ups in districts with schools facing "Step II" sanctions (in addition to the current provisions allowing the ARB to authorize the conversion of low-performing schools to charters). We also suggest that the legislature allow at least one other authorizing path for the creation of independent charters through another vehicle (such as the governor's budget or a separate bill).

Lastly, we have one clarifying question about the bill: After an independent charter school receives a "D" or an "F" for three years in a row, does it have four years to improve before the state can cease payments to it?

Thank you for the opportunity to provide feedback on this bill. We stand ready to help you and others figure out the best way to incorporate independent charter schools into the state's accountability system.

Sincerely,

Wisconsin Coalition for Public Charter Schools
Hispanics for School Choice
Metropolitan Milwaukee Association of Commerce
American Federation for Children
National Alliance for Public Charter Schools
National Heritage Academies



**MILWAUKEE
PUBLIC SCHOOLS**

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Assembly Committee on Education

Assembly Bill 1 - School Accountability

Chair Thiesfeldt and members of the committee, thank you very much for your time today and for the opportunity to share a few words about this very important topic. My name is Dr. Darienne Driver, and I am the Superintendent of Milwaukee Public Schools. With me is Dr. Michael Bonds, President of the Milwaukee Board of School Directors.

Representative Thiesfeldt, thank you for the invitation to meet last week, as it turned out, it became a very busy day with the introduction of this bill and I'm sure we will have the opportunity for discussions in the future. Thank you also for taking the time to visit with us at some of our schools in the past; it really is appreciated when we have an opportunity to share with legislators some of what is going on in our district.

Over the past week, Assembly Bill 1 has been discussed almost exclusively in terms of accountability as sanctions and the general public may not have an understanding of the multiple accountability measures that are already in place. Often during this past week the discussion has occurred without perhaps enough acknowledgement of the groundbreaking work that was completed by the legislature just last session with the accountability bill that became law in April of 2014. With the passage of that bill, the public will now have a better understanding of the performance of all school types under a common report card. Significantly for our district, the application of the student information system to all publicly funded students will finally allow for a clear understanding of the schools that students have attended during their academic careers. The taking of a single, common test, no matter what sector a student is in, will allow for the ultimate level of transparency and accountability as policy decisions are made in the future.

To be clear, we are concerned that AB1 takes a step backward to a more confusing system that allows for multiple assessments. This diminishes the public's understanding of what is taking place within and across school types.

Having quality, consistent student information is especially important in the Milwaukee context. As just one example, on average, 25% of the district's incoming ninth graders were not with an MPS school on the third-Friday count date of the previous year. At a number of our high

schools, it's even higher – as many as 30% to 40% of incoming freshmen were not with the district at the beginning of their eighth grade year.

To date, the best research available suggests that students living in poverty and students who are underperforming, transfer from other sectors and into MPS schools. We welcome the challenge of finding more solutions to support those students rather than simply sanctioning and potentially abandoning public schools.

While we are working to improve our attendance rates, we also know that a significant number of our schools are deducted points within the state report card under the definition of chronic absenteeism.

In fact, eighteen of our schools and the district as a whole would be out of the “fails to meet expectations” category were it not for the five point deduction in this area.

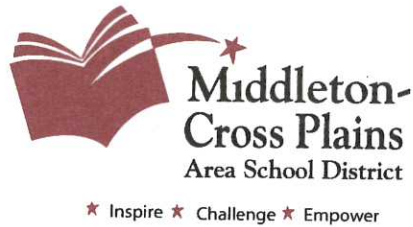
Absenteeism is a hugely significant issue and we are continuing efforts and examining new strategies to make sure that students are in their classrooms and learning, but again, turning to sanctions that do little if anything to get at the core policy problem does more harm than good.

The research shows that the right drivers to improve school performance build the capacity within a school and within a system to change the culture. They get at the heart of building the relationships, skills and practices needed to move students forward.

We also know that if we are really serious about helping all of our students – the 82 percent living in poverty; the 86 percent who are students of color; the 20 percent with special education needs and the 9 percent who are English language learners – we need to continue to find ways to put the best teachers in front of them. As a state we don't have strong policies that do that right now.

If that positive work is to happen, tying sanctions to a system that labels institutions as “D” or “F” schools, could serve as a disincentive for attracting the very best educators, particularly when we know many measures of student performance are very closely correlated with family income.

I believe that at the heart of the discussion around this bill, and at the heart of the discussion around this issue over the past several years is the basic desire to help to improve the performance of all students no matter where they may be attending school. As many people will likely testify today we need to make sure that we have the best policies in place to improve performance and that we maintain the positive steps that were taken during the last legislative session. There are a number of other items in the bill that deserve additional attention, and we would be happy to follow up with additional information, but given that this is likely to be a long day I would like to thank you for your time and would be happy to answer any questions.



January 14, 2015

Dear Members of the House Committee on Education,

We are responding to the introduction of AB 1 concerning school accountability.

As a school board, we share the legislature's commitment to the best education that can be provided to all. We also understand that funds are not limitless, and that many Wisconsin citizens face property tax bills on fixed incomes. We, like the legislature, recognize the challenge of improving the quality of education for all while spending every tax dollar wisely. Furthermore, we share the legislature's commitment to the principle that the best fiscal and policy decisions are made at the local level. Moreover, we stand with the legislature on issues of transparency and accountability: if tax dollars are going to be spent, elected officials – not politically favored private actors, and not remote bureaucrats or political appointees – must have final say in how that money is spent. Only in this way can taxpayers be assured that their money is not being wasted. This is especially true in the field of education. In a knowledge economy, public investment in education is the single most important ingredient for widespread prosperity. Perhaps no entity benefits more from a well-educated public than the job creators in society. Employers rely on our schools to provide them with a knowledgeable work force. Employers further rely on our school system to produce well-educated middle class consumers who purchase the products and services that job creators sell. A well-funded and well run education system is an investment that leads to a more prosperous society, which in turn leads to higher tax receipts at lower tax rates.

With these shared values in mind, we are very concerned about Assembly Bill 1. AB 1 appears to rely on sanctions, punishment and conversion of low-performing schools to privately run charter schools. Research -- that is, objective science of the type we hope students learn in Wisconsin schools -- conclusively demonstrates that interventions and additional support raise achievement levels in struggling schools. Penalties without tools for improvement set up public schools for failure.

The funding for these private charter schools will drain money away from every public school in the state. These private schools will get first draw on general aid apportionment, decreasing funding for all of our public school districts. Public schools are already struggling to provide a 21st century education with the funding available to them now. Creating a system by which more and more money is taken from them will begin a self-reinforcing cycle that will cause serious harm to education as a whole.

This bill proposes that schools get a letter grade, relying on measures set up by the state's unelected Accountability Design Team that were not designed for interpretation as a letter grade.

Additionally, the Academic Review Board that AB 1 creates is an appointed board without accountability to the public. This proposed board usurps the power that is constitutionally given to the Department of Public

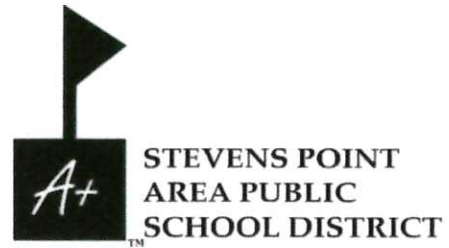
Instruction. This board takes away local control from elected school boards. The Academic Review Board suffers from the same defects that led the legislature to do away with Regional Transit Authorities in 2011.

Last April, the Legislature attempted to level the playing field across the state by having all publicly funded students take the same assessment. Now there is a desire to have schools chose from one of any number of tests. This goes against the common sense, apples-to-apples test that allows parents and the public to compare schools. Multiple tests proposed by this bill will surely not increase the transparency that the public expects from our schools, and are doubtful to be a valid comparison measure. In other words, using different tests will make it impossible for voters, parents, taxpayers, the Academic Review Board and the legislature itself to compare school performance, which is the very reason for the existence of AB 1.

But the greatest single concern we have is the inevitable negative effect AB 1 and bills like it will have on education. Insurance companies remain profitable by excluding those the insurance company determines to be at high-risk to file a claim. As schools begin to compete for tuition dollars, and as they are judged on student exam performance, it will not be long before private schools overtly or covertly exclude students those schools determine to be a high risk of academic failure. That, after all, is the most profitable way to run the school. Moreover, the competition will soon cause schools to understand that the *appearance* of a well-educated student body is more important to receive funding than is the production of *actual* well-educated students. AB 1 and bills like it will compel schools – public, charter and private – to produce kids good at taking the necessary tests. It will also give the schools incentive to be misleading about academic achievement if the schools want to continue to receive funding.

There is no doubt that failing schools cannot be tolerated at a state or local level. AB 1, however, will not help failing schools improve, and at the same time it will create a myriad of additional problems for current and future parents, taxpayers and legislatures to contend with. The greatest of those problems is the fact that AB 1 would take money away from non-failing public schools, making them prime candidates for failure in the following round of evaluations. Simply stated, AB 1 does not improve education, and does far more harm than good. For all these reasons, we are registering in opposition to AB 1.

The Middleton-Cross Plains Area Board of Education



Public Hearing Testimony on Accountability Bill (AB 1)
January 14, 2015

Chairman Thiesfeldt and Honorable State Representatives,

Thank you for the opportunity to speak today.

I would like to express my concerns with the current language in AB 1. Accountability in education is important but it needs to do be done right.

I am deeply concerned that educators and school leaders we were not included in the discussions surrounding the development of this bill. Instead of creating transparency this bill creates confusion and doubt. There is no evidence to suggest that the provisions of this proposal will improve education for kids in a positive way. If the objective is to improve academic achievement for all students and close large and persistent achievement gaps, this bill will not provide the solution.

There is no evidence to support the assessment options recommended in the bill. The bill allows schools to use one of three undetermined assessments for accountability purposes. Multiple tests reduce validity, transparency and accuracy – presenting significant problems for high stakes accountability. How can we have accountability if the results of these assessments are questionable if best?

The bill is a serious challenge to local control of our schools. The Academic review board is an unelected, unaccountable board and creates a state mandate imposed upon local school boards. The academic review board should serve in an advisory capacity to the State Superintendent, not as a replacement. This bill grants the board unconstitutional decision making authority that will have significant impact on the local schools.

The focus of the bill is centered mostly upon sanctions. These provisions focus on punishment and do not provide evidence-based interventions and supports that will help low-performing schools improve student achievement. In the Step II Sanctions, the bill creates a pathway for privately-run charter schools. This is not a viable solution for many districts. What happens to schools when there is no viable private charter school? What happens to our students if this option also fails?

I hope that you will consider the opinions of our school leaders and educators before moving this bill forward and seek to work with schools and locally elected school boards before imposing a state wide mandate that usurps this local control.

Sincere Thanks,
Brian Casey, Director of Technology



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January 12, 2015

Dear Assembly Education Committee,

I am writing to provide feedback regarding AB 1 on School Accountability. I have significant concerns about this bill.

My first concern is the speed of which this bill has come to fruition. In my opinion a bill that is attempting to take on such an important issue such as School Accountability should be well-researched and well-vetted. The speed in which this bill has been introduced, scheduled for a public hearing and subsequent introduction on the Assembly floor is simply astonishing. I am not aware of any effort made to gather input from educators, parents or other stakeholders in the development of AB 1.

While I applaud the effort to create School Accountability legislation that provides the same accountability measures for Choice and Charter schools as it does for public schools, I am concerned when the implementation time lines vary for public schools verses Choice and Charter schools. Having varying implementation dates smacks of favoritism towards Choice or Charter schools. Good School Accountability legislation must be fair to all parties involved.

Towards that end I think it is imperative that there is an equal membership of public and Choice/Charter representatives on the Accountability Review Board. I would reiterate that good School Accountability legislation must be fair to all parties involved.

I am also deeply concerned that this legislation would assign letter grades to schools on the school report card. The educational field is moving away from assigning letter grades to students to assessing mastery on a standards-based system. Educational reform leaders recognize that letter grades do not adequately reflect student progress. I would say that the same could be true of assigning a letter grade to a school; assigning a letter grade to a school may not adequately reflect a school or district progress. The current classifications assigned to schools and school systems provide a clear picture for parents and other stakeholders on how the school or system is faring.

I believe that this legislation is flawed and will not provide the public with the oversight which it is intended to do.

I am unable to attend the public hearing on January 14, and so I appreciate the opportunity to provide written feedback on this important, pending legislation.

Sincerely,

James P. Heiden, PhD
Superintendent

Chairman, members of the committee. Thank you for the opportunity to speak.

My name is Gary Kiltz. I currently serve as the Director of Curriculum and Learning in the School District of Menomonee Falls. I want members to know that in our district, we embrace accountability. We have administrative scorecards attached to growth on key metrics to hold our administrators and leadership teams accountable to improved processes. When looking at system-wide accountability at the state level, I think we need to understand the purpose. If the purpose is to shame and blame, then what the bill is proposing will work very well. If your purpose is to build capacity of the schools and school districts to improve processes and student results, then this bill works counter to this.

Before moving forward, the committee members may want to consider a report by Michael Fullan, *Choosing the Wrong Drivers for Whole System Reform*. In this report, Fullan calls out to policy-makers like yourselves to “replace the juggernauts of wrong drivers” like the accountability measures this bill proposes with lead drivers that are known to work. For example, focusing on assessments as a way to target continuous improvement processes within a system rather than punitive action. As another example, focusing on system instructional processes and building capacity within the profession rather than separating education into public and private and making this a competitive process for already limited resources. As Fullan indicates, “Better performing countries did not set out to have one very good teacher here and another good one there. These countries were successful because they developed the entire teaching profession. “

Our leadership team and school board also have concerns about the over-simplification of a very complex process and accountability formula that the state uses. There are inherent issues with

attempting to narrow the measurement of school performance to a single letter grade. In the School District of Menomonee Falls, we have experienced these very issues with the current system. GAP closing is the priority for our district. In one of our elementary schools, students are performing well on all indicators except for one, closing the achievement gap with our students receiving special education. By not meeting this one indicator, the school moved from “Exceeds expectations” to “Meets Few Expectations” in one year. And our own multiple measures internally demonstrated growth in this one area. Our performance overall is strong, and our system for improvement is demonstrating significant progress. We are focusing heavily on using our internal benchmark assessments, like MAP and STAR, along with our measures of school climate, attendance and behavior to ensure all of our schools and students are making progress. We are using no excuses. We do hold high expectations. Our concern rests in labeling a school as “B, or exceeding expectation” one year, and then “D or meeting few expectations” the following year” based on the process the state uses to calculate the gap with just the one metric, the state assessment. Our issues with it include:

1. The process used to calculate the “closing the gap” score has changed multiple times since the report cards have been put into place.
2. The results generated for a subgroup cannot be compared year to year since the numbers in the subgroups vary; subgroups may not be included year over year. They may be combined into subgroups one year and then broken out the following year with no indication given to the schools about how these are determined.
3. The formula used does not provide a comprehensive view of how all students within the subgroups are performing.
4. Normal variance is not addressed in examining performance year over year.
5. The labeling of a school’s performance overall with a letter grade, based on this process, leads one to assume the state and this committee is confident the process is sound and the public would understand what a grade of a C or D means based on the process. The Department of Public Instruction cautions making any year to year comparison with the closing the gap scores.

We accept the responsibility to ensure each of our schools is making progress. Labeling the overall performance misrepresents the growth, the overall performance, and places too much weight in a single test. We question the volatility in the data for high need schools with small student populations. The scores are too volatile to place a label of this type on overall school performance.

Finally, a level playing needs to be available to all systems receiving public tax dollars. Our Board and leadership team ask that the measurement systems and state mandates be equally applied to all systems educating children with public funding. We encourage the state to increase local school board control and authority in setting any waivers or modifications to the state required accountability system and educational standards. Any assessments or standards waived for one publically funded educational option should be available to all local school boards. This bill imposes greater state control over school district functions. We have locally elected Boards that can serve as overseers and make appropriate decisions to hold the leaders accountable.

Again, I appreciate your time and your commitment. Thanks for the opportunity.

SCHOOL BOARD:

ROBERT G. BOKNEVITZ, President
AMANDA J. BEDNARSKI, Vice President
RUSSELL J. IWANSKI, Treasurer
BRIAN WARWICK, Clerk
CHRIS FINCH, Appointed Member

St. Francis School District
4225 South Lake Drive St. Francis, Wisconsin 53235
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Dr. John W. Thomsen
Superintendent

January 13, 2015

Senator Chris Larson
Room 5 South
State Capitol
Madison, WI 53707-7882

Representative Christine Sinicki
Room 114 North
State Capitol
P.O. Box 8953
Madison, WI 53708

Dear Senator Larson and Representative Sinicki:

I am contacting you regarding my concern with AB1.

The current law states that all publicly funded students will (now or in the near future) participate in State assessments, become part of the student information system, and become part of the State Report Card System.

Our District can support an accountability system that provides taxpayers with a transparent and legitimate accountability system for all publicly funded schools. This includes public schools, independent charter schools, and private voucher schools.

All publicly funded students should take the same State assessments and results should be reported in the same manner. Uniformity and transparency of information is critical for parents and taxpayers to make decisions about the quality of their schools and the use of tax dollars.

The current accountability system puts the State of Wisconsin in a very good position moving forward.

Areas of Concern with the proposed legislation:

Common assessment versus multiple assessments: We have concerns with the proposition of having the option to choose from an array of State assessments. The complexity of equating tests diminishes the validity of the accountability system. This bill proposes the approval of three alternative tests to be determined by the Academic Review Board (ARB). Multiple tests would *not* be the most reliable way of comparing performance of different schools. Multiple tests will cause greater confusion for stakeholders, especially those making critical decisions for students. What will the cost be to develop the statistical comparisons? With a \$2.2 billion deficit, all budget considerations should be on the table.

Senator Chris Larson / Representative Christine Sinicki
January 13, 2015
Page 2

Accountability Review Board (ARB): The ARB appears to be a regulatory board based on the verbiage in the bill identifying the ability to promulgate rules. Is this constitutional? Politically approved appointments also are worrisome. Shouldn't we base future educational legislation and reform on best educational practice research rather than political considerations?

Letter grading system: The proposed letter grading system is counter to the mutually agreed upon State Report Card System designed by a committee co-chaired by Governor Walker and State Superintendent Evers. Descriptors are critical in defining exactly what is meant. Many districts have gone to Standards-based report cards for that exact reason. For instance, what does a "B" really mean?


Lack of stakeholder engagement in the process of developing this bill: Senate leaders have been meeting with stakeholders across the state for the past six months. Have Assembly Leaders met with stakeholders to discuss how the proposed bill is good for kids?

Recommendations:

1. An accountability system is already in place. We may be making this more complex than it needs to be. All publicly funded students are included in the current system.
2. Whatever the final accountability system is, all publicly funded students must be tested the same way.
3. Engage stakeholders in the process. Remove the politics from the discussion, and do what is right for all children in Wisconsin.

Please do not support AB1, as it is was not well thought out and is counter to what is good and right for education. Thank you for your time regarding this issue and please contact me if you have any questions regarding this communication.

Respectfully,



Dr. John W. Thomsen
Superintendent of Schools

cc: St. Francis School District - Board of Education

To: Members of the Assembly Committee on Education

From: Susan Fox

President, Monona Grove Board of Education

4637 Tonyawatha Trail

Monona, WI 52716

Re: AB 1

January 14, 2015

Thank you for this opportunity to provide input on AB 1. While there is value in the idea of accountability of public schools to the taxpayers who fund them, as well as to the students who attend them, this bill will not serve that end. While the same accountability measures required of public schools do need to be extended to private voucher schools, this bill does not do that in a meaningful way. **The idea that schools can choose from among different tests to measure the performance of their students rather than require that all schools administer the same tests flies in the face of common sense.** It does not compare "apples to apples." It is in fact a waste of time and money. According to an article in the *Wisconsin State Journal* on January 8, Brad Carl, Associate Director of the UW-Madison's Value Added Research Center has said that the most accurate way to compare test takers is to have all students taking the same test on the same academic standards. It is interesting that the only potential appropriation of funding in this bill would be to cover the costs incurred for the work to statistically equate the scores of different tests.

The proposed letter grading system by which some schools would be labeled failing and turned into independent private charter schools is not supported either by research or by the experiences of top performing schools in other states and nations. Punishment is not the solution. Research shows that vouchers are also not the solution. Rather, increased focus on evidence-based interventions can make a difference. Resources for public schools with high numbers of students in poverty need to be increased so that highly trained teachers can teach these most vulnerable students, while maintaining high expectations, setting measurable goals, collecting data on progress, and adjusting instructional strategies as needed.

~~**The creation of a state-level Academic Review Board (ARB) takes authority away from the duly elected State Superintendent of Public Instruction and assigns it to an unelected, unaccountable board with a majority of political appointees.** To give this board the authority to determine the academic progress of public schools, subject them to improvement plans with no additional resources, and then to turn them over to independent charter schools if they fail to meet what this board considers to be sufficient progress, is preposterous and possibly in opposition to the Wisconsin State Constitution. It strips power from locally elected school boards as well as from the Department of Public Instruction and gives it to an unaccountable, unelected board – an interesting construct for a bill that professes to be about "accountability."~~

→ Thank you for the decision to remove this provision from the bill.

Given that the independent charter schools fostered by this bill will receive the first draw on the general aid appropriation, more dollars are drained from public schools, forcing school districts to increase property taxes. An ever-increasing portion of school revenue will need to come from local taxpayers.

Wisconsin already has slashed state aid to public schools more than almost any other state. Additionally, there are repeated stories of financial fraud among independent charter schools appearing around the nation and amounting to millions of dollars. We can't afford to operate two parallel school systems, and we certainly can't afford to lose precious tax dollars to fraud or to provide new investment strategies for the wealthy. While this bill isn't about voucher expansion, it does have a component of taking more money from public schools.

This bill is a step backward from the common sense goal of having all schools that receive public funds to take the same tests at approximately the same times that was promoted by this legislative body last year. At a time when educators around the state are working to improve accountability under the new Educator Effectiveness system in its first year, it makes no sense to start changing the rules. This bill solves no problems and instead creates new ones. It does harm to public schools, which are the hearts of our communities in Wisconsin. This bill should not be brought forward to the Legislature.



January 13, 2015

AB 1 - OPPOSED

Dear Rep. Thiesfeldt and members of the Assembly Education committee,

Thank you for the opportunity to share my position on the proposed legislation contained in AB 1. I have several significant concerns with the policy being proposed.

- I am against the use of multiple tests for accountability purposes. A single statewide assessment used for accountability purposes will allow comparisons and benchmarking for improvement. If multiple tests are allowed there is increased likelihood of potential “gaming the system” and discrediting the results because the tests are different. Multiple tests will weaken the goal of holding schools accountable for public funding.
- I am against letter grades being introduced, replacing the descriptors of the current report card. Letter grades will introduce confusion and complicate communication to parents and stakeholders. The perception of a letter grade is different, depending upon context. In my district the grade of a “B” would not be acceptable to parents when they want their child to have the best opportunity. A “C” would definitely be unacceptable. Context matters. While we all want Wisconsin schools to rank as significantly exceeding expectations, I advocate for a model that supports continuous improvement. Knowing the strong base of research that correlates student achievement with demographics, it is not fair to categorize them as less successful when the demographics make such a difference. Letter grades would be construed as failure when the grade was meant to communicate something else.
- I am against an Accountability Review Board that appears on the surface to undermine the authority of the elected State Superintendent.

My recommendations are:

1. Stay with one test, statewide
2. Stay with performance descriptions and do not introduce letter grades.
3. Allow current legislation and accountability measures to play out.
4. Do not introduce opportunity for political rhetoric by creating an Accountability Review Board that is politically appointed.

I had originally thought I could share this testimony at the hearing. Circumstances in my district have changed and I am no longer able to attend the hearing. Please accept this written testimony, reflecting my concerns and opposition to AB 1.

Patricia F. Deklotz, PhD.
Superintendent

SCHOOL DISTRICT OF WHITEFISH BAY

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WHITEFISH BAY, WI 53217
TEL: (414) 963-3901
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Laura Myrah
District Administrator
Laura.Myrah@wbschools.com

The Whitefish Bay School District



Dear Assembly Education Committee,

I am writing to provide feedback regarding AB 1 on School Accountability. While I strongly believe in and welcome accountability within the field of education, I have significant concerns about this bill.

* When the Accountability Design Team developed the initial accountability plan, including the current WI School Report Card, considerable discussion and even debate occurred about the assignment of performance categories vs letter grades to schools and districts. People in that room, particularly parents and educators, indicated the grade of a "C" would NOT be satisfactory. "C" no longer means "average" or "acceptable" in the public eye. Wherein "meets expectations" provides a very different connotation. When many and varied stakeholders gave considerable scrutiny to that decision in the recent past, I am in disagreement with the proposal change to assign letter grades to schools and school districts.

* I am also disappointed that a wider variety of input from educators, parents, and other stakeholders was not involved in the development of AB 1, as it did occur with the original Accountability Design Team.

* I am gravely concerned with decision-making authority being stripped from the State Superintendent and being assigned to an unelected board. This is seemingly unconstitutional.

* Further, the proposed Academic Review Board does not include an equitable number of public school district representatives.

* Finally, the primary focus of the bill appears to be nearly purely punitive in nature for low-performance. I have been a parent for 27 years and for 23 years, I have been a teacher and then an administrator in multiple different positions. I know through research and experience that penalties alone, without proper and plentiful support, mentoring, and resources, do NOT work to change behavior or results. I do not believe AB 1 is the correct path to ensure ALL students are properly prepared for college and careers.

I am unable to attend the public hearing on January 14, and so I appreciate the opportunity to provide written feedback on this important, pending legislation.

Sincerely,

Laura Myrah
District Administrator



SCHOOL DISTRICT OF BARABOO

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www.baraboo.k12.wi.us



Representative David Considine

Madison Office:

Room 412

North State Capitol

January 12, 2015

P.O. Box 8952

Madison, WI 53708

Subject: Assembly Bill AB1 School Accountability Bill

Dear Representative Considine,

I am writing you today because of some concerns I have with Assembly Bill AB1, the School Accountability Bill. My concerns which I will outline come in the areas of fairness, constitutionality, transparency and finance.

First in the areas of fairness and finance the money that goes to independent charter schools comes from the general equalized aids which has a negative impact on both our taxpayers and our school districts. For the 2014-15 school year the current deduction of this aid has a negative impact of \$245,850(Data from the DPI) on our Baraboo School District alone. As a board we are facing many difficult budgetary decisions that could have negative repercussions on our students who come from every walk of life. Expansion of independent charters will only make a bad situation worse. This is on top of the fact that independent charters have not been proven to be more successful at educating students then our public school system.

Second by creating a board made of Madison political appointees you are undercutting the foundation of the local control which is supported in our constitution and has served our Wisconsin citizenry well throughout its history. When people have a problem with our schools they know who they can call and that is their locally elected school board. This will not be the case with this bill in its present form.

We believe we do a great job of educating our students in the Baraboo School District. An example of this is our own Al Behrman Elementary which has been recognized as a Wisconsin School of Recognition for three consecutive years. We believe we can stand up



SCHOOL DISTRICT OF BARABOO

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to an apples to apples comparison to independent charters. Please give us that opportunity but this can not be done if the transparency is lost when giving multiple different tests to the students of the state.

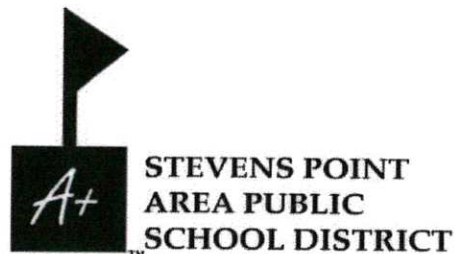
It is my hope that this bill will either be rewritten or scraped. It will be better if you expend more of your time and effort exploring a new and fairer school finance system and ways to implement best education practices that will benefit all of our students which is fairer to both them and our taxpaying public.

Sincerely,

Doug Mering
Legislative Contact
Baraboo School District
Board of Education
608-434-7968

cc- Board of Education
Dr. Crystal Ritzenthaler
Dan Rossmiller- WASB
Christopher Kulow- WASB
Ellen Wieland
Grace Colas

Bliss Educational Services Center
1900 Polk Street, Stevens Point, WI 54481
Ph: (715) 345-5454 Fax: (715) 345-7370



Public Hearing Testimony on Accountability Bill (AB 1)
January 14, 2015

Chairman Thiesfeldt and Honorable State Representatives,

Thank you for the opportunity to speak today.

I believe all educational institutions need to be accountable. However, the application of standards, and the metrics by which we measure these institutions, needs to be objective, independent, and consistent. That said, my concerns with AB 1 below are briefly summarized.

First, I have concerns over the creation and membership of an Accountability Review Board (ARB). I am concerned that the board may lend itself to a particular party line and not be able to remain an objective and unbiased group. The office of the State Superintendent is an elected position so as to represent the wishes of the majority when dealing with matters of public education in Wisconsin. I believe the ARB to be statutorily unconstitutional and legally objectionable. The creation of an ARB is perceived by many of my colleagues as a veiled attempt to remove the powers, granted by the Wisconsin Constitution, to the State Superintendent.

Second, research supports that early intervention creates the greatest and longest lasting change. Waiting until a given school or district has failed four consecutive years is clearly bad practice yet converting the school to an independent charter school is not the answer. Rather, the immediate and swift infusion of resources and research-based interventions coupled with best pedagogical practices is the only ethical option for a failing school. Consider providing districts with the resources necessary to support the student populations or their respective subgroups that are exhibiting low levels of achievement prior to imposing sanctions.

Third, we must use a common metric when comparing schools and student achievement levels across the state. To that end, the suggestion of allowing a menu of assessments is not one that will strengthen the validity or reliability of what we seek to measure.

Fourth, more and more districts, consistent with the research, have moved away from letter grades to denote student progress. The current system by which schools are compared, although imperfect, is understood by the public school stakeholders. Changing the means by which schools are graded or measured will only further confuse the public and increase the fervor around an anti-public education platform by a partisan party.

Finally, it is my hope that you will give serious consideration to the aforementioned concerns with AB 1 as it is in its current form and involve non-partisan stakeholders in the creation of a law that will set the direction and oversight for years to come.

Sincere Thanks,
Greg Nyen, Director of Student Services

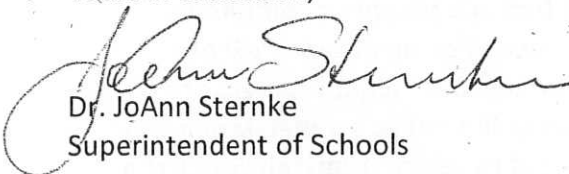
My name is JoAnn Sternke and I am proud to serve as the Superintendent in the Pewaukee School District. Thank you for the opportunity to express my thoughts on Assembly Bill 1 concerning School Accountability. While I strongly believe in and welcome accountability in education, I have concerns with many provisions in AB-1 in its current form. I am registering in opposition for the following reasons:

- **No Voice** - I attended many of the Accountability Design Team meetings organized by Senator Farrow over the summer and offered input in the process, yet I am not clear what, if any, groups were consulted in the creation of this Assembly Bill. Public schools serve over 850,000 students in our fine state. Simply said, given the vast number of students we serve, we request a stronger voice in the legislative process and in the design of this accountability system.
- **Same Test** - Inherent in the word accountability is the concept of being able to fairly assess and compare performance. All schools receiving public dollars should be required to take the same state assessments. Furthermore, results should be required to be calculated the same way to ensure comparisons that are valid and fair. While we all desire flexibility, there is a downside to using different assessments in a system designed to foster greater accountability. With heightened flexibility in testing, not only may the test vendor differ, the timing of when the tests would be taken, the testing conditions, and the very design of test itself would vary. As an educator, I know that a paper and pencil test differs greatly from a computer-based assessment that recalibrates the difficulty level of questions as a student is taking it. I am a school superintendent, not an educational assessment specialist or statistician, but I do know that greater "variance" means less reliability. More importantly, I do not see "apples to oranges" comparisons of student assessment being easily understood by me or the general public. And isn't greater understanding a key purpose? Brad Carl, of VARC, says using a variety of assessments is "technically possible" but goes on to say that it is not the most straightforward or the most reliable method. Do you want an accountability system that stakeholders feel is not straightforward, reliable and, most of all, understandable? Our taxpayers deserve better. Why muddy the water by allowing freedom at the expense of clarity?
- **No Letter Grades** - I do not support the use of letter grades over the use of established performance categories currently used in the state report cards. This was not a recommendation coming from the committee co-chaired by Governor Walker and State Superintendent Tony Evers. I ask a simple question. What is unclear about the current system? I have sent our state report card home to thousands and thousands of homes and I have not had one parent or community member tell me they do not understand what it means to meet, exceed or significantly exceed expectations on this report card. Not one. So for me, it begs the question, "What problem are we trying to solve?" Moreover, if the goal of this initiative is to increase the public's understanding of how schools are performing, grades are not the communication tool to select. I can tell you that a grade of "C" would not be met in my community with the same understanding as "meets expectations." Why move to a communication system that is less understandable?

- **No Accountability Review Board** - I strongly oppose the creation of a regulatory Accountability Review Board that is politically appointed. It's make-up as set forth in this legislation under-represents the voice of public schools. More troubling, I do not support the creation of yet another bureaucratic decision making body that has significant impact on local public schools that serve over 870,000 students state-wide.
- **No Support** – As both a parent and educator, I know that without support, imposing discipline, penalties or sanctions alone do not attain the desired end result. Daily in our schools we see that students flourish when poor behavior is met with both meaningful consequences and supportive intervention. In this bill I see language pertaining to sanctions but not much in terms of support. In fact, as I read the bill the only thing I see being funded is the money appropriated to UW-Madison's Value Added Research Center (VARC) for the limited purpose of comparing results from the different tests the bill would authorize. In schools we know that just setting a SMART goal doesn't mean it will be attained. We must set up a system of actions to support the goal. Where is this support in this bill? I wholeheartedly agree that we need a system to identify persistently low performing schools. But once identified, then what? Is the goal to improve low performing schools or punish poor performing schools?
- **Unintended Consequences** – To be honest, I do not see any of our Pewaukee Public Schools "failing" and converted into independent charter schools. So you might ask, why do you care about this legislation? How does it pertain to you? It's clear to me that there are unintended consequences that impact us in Pewaukee and impact school districts and taxpayers throughout the state. In this proposed bill, when schools are deemed "failing" they automatically become independent charter schools. An increase of independent charter schools would reduce the amount of state aid to my public school and every public school district in the State of Wisconsin that receives general aid. As such, even though our Pewaukee Schools exceed or significantly exceed the standard, we would be negatively impacted. And this isn't small change! For every 1,000 students in independent charter schools, nearly \$8.1 million dollars will be taken annually from the general equalization school aids sent to school districts. Under revenue limits, the effect of removing this money from general equalization aid is a potential \$8.1 million increase in property taxes statewide for each 1,000 students. Less money for schools and a negative impact on property taxes. Is this what you support as legislators?

Thank you for listening today and considering the concerns I raise. I appreciate your service and desire to work with you to pursue educational accountability and an educational system that prepares all students in Wisconsin to be college and career ready.

Yours in education,



Dr. JoAnn Sternke
Superintendent of Schools

Opposition To And Proposed Amendments For AB1

14 Jan 2015

Thank you for this opportunity to share my thoughts concerning Assembly Bill 1. My name is Rick Nettesheim, principal of eAchieve Academy, a virtual charter school in the School District of Waukesha. I am here today speaking on behalf of 3 different virtual charter school principals including Billy Beesley from iForward out of Granstburg and Melissa Horn from Wisconsin Virtual Learning in Northern Ozaukee. Combined, we serve well over a thousand students from all across Wisconsin.

It is those students and their families I am most concerned about. Having an accountability system that accurately reflects the quality and rigor of our virtual charter schools is vitally important to them. Karen Lewis from Pewaukee and parent of 2 eAchieve students expressed her concern this way. "I have two daughters at eAchieve, both are talented students with Ivy League ambitions, but they are burdened by being from a "failing" school. They left Pewaukee high school, a report card leader, because both wanted more academically, and they are getting it at eAchieve. They have better teacher access, more rigorous schedules and feel they are learning more. We wonder what the admissions staff at Harvard, Stanford or their peers think when they see they are from a failing school. Sometimes it seems like the price they might pay for stronger education is too great. Please fix this, adjust the report card."

While we strongly support accountability measures and feel the current and proposed school report card and accountability system may work well for traditional schools, it is far from accurate for virtual charter schools and contains an accountability loophole that must be closed. A separate accountability tool for virtual charter schools would be ideal, but if that is not realistic or possible, we do have some recommendations for AB1 that would improve the situation significantly.

The loophole is one of the primary sources of inaccuracy for virtual charter schools whose enrollment is primarily based on the open enrollment of students from outside their district coupled with the inability to deny admittance for most applicants whether attending a virtual charter school is appropriate or not for them.

Virtual charter schools are an excellent choice for many students, but not all. Some students enroll, unfortunately, to hide from truancy. If they apply during the regular open enrollment period, we have little to no ability to prevent them from enrolling. When they do not participate, we send them back to their resident districts (by the hundreds) in accordance with state statutes.

When non-participating students are sent back to their resident district, they are often not re-enrolled despite our urging parents to re-enroll their student and our notifying the resident district both electronically and by letter that the student is returning. Dropouts are counted against the last school of attendance, yet we have no way to compel the student to enroll in their resident school or to have the resident district take ownership for a student who should be going to school but isn't. Virtual charter schools are then left to be the scapegoat for these dropouts. More importantly, these students aren't being educated.

To put some numbers on this, 51% of the dropouts attributed to eAchieve for the 2012-13 school year on the 2014 school report card were only enrolled at eAchieve for 6 months or less before

being sent back to their resident district due to non-participation. Most of them were already credit deficient and/or already struggling significantly in school. The fact that they dropped out can hardly be pinned on eAchieve!

Another 17% of "eAchieve's" dropouts were only enrolled for 6-9 months before being sent back due to non-participation. None of the dropouts attributed to eAchieve that year were with eAchieve for more than 1 year.

Though the counting of dropouts isn't specifically mentioned as a measured indicator in AB1, it isn't listed as a measure in state statute 115.385 that governs the school report card either, but is still used as an accountability measure. A simple solution to the problem would be to include a provision in AB1 stating that dropouts will be charged against the last school the student attended for 1 full academic year, not simply the last school of attendance. This would significantly improve the accuracy of the accountability report and more appropriately hold the correct schools and districts accountable for dropouts. Enrollment for 1 full academic year is currently the threshold in place for other academic measures before a student's progress can be applied to a school as far as the school report card is concerned, but not for dropouts.

Another source of inaccuracy is the graduation rate. Though many advanced students choose to attend a virtual charter school for advanced options, enhanced rigor, and acceleration of their learning, there are others who attend as a last hope at earning a high school diploma, having not been successful in traditional schools. We welcome these students as well. They come to us as 16, 17, and 18 year olds who are already credit deficient. Instead of being rewarded for helping these at-risk students, many of whom eventually graduate, virtual charter schools are often penalized for these students not graduating in 4 years. AB1 does nothing to address this and perpetuates the one-size-fits all mentality.

Regrettably, some of these at-risk students we take under our wing don't make it. Again, virtual charter schools are penalized for being innovative and compassionate. We need a system that encourages such efforts to help the struggling students, not one that penalizes us for doing so.

Since virtual charter school don't predominately or exclusively serve at-risk students, we would not be able to take advantage of the "satisfactory" rating proposed in AB1. This again illustrates the need for a separate accountability system for virtual charter schools. If that is not possible, specifically listing virtual charter schools as entities who can take advantage of a "satisfactory" rating in addition to those special categories already listed in Section 9 of AB1 would be the next best option.

In summary, the virtual charter schools I am representing are chosen by very high achieving students who are looking for more out of their education as well as students who have not been successful in a traditional school, often due to factors beyond their control. The following statements from two more eAchieve families illustrate this point.

Kimberly Sleger from Milwaukee reports "I am the parent of a second grader in eAchieve's elementary program. I would highly recommend any parent with a child with special needs to choose eAchieve. My daughter has some significant health challenges that she suffers from and were exacerbated by the atmosphere in the brick and mortar school she attended. Since starting online school her migraines, Tourette's, and anxiety have decreased considerably. The education she is receiving is concise, challenging, and fits her learning style."

Laila Hussein from Greenfield relates her experience as follows. "My son was in one of Milwaukee's best blue ribbon schools in 6th grade. However, he was not being challenged in math and spent the entire year taking math that he already knew very well. The school was very reluctant to test him for advanced placement because they already had the maximum number of students allowed in advanced math, so after a lot of frustration, we transferred him to eAchieve for 7th grade. The staff immediately tested him upon admission to determine his level, and had no problem placing him in two simultaneous High School math courses. My son ultimately finished the entire high school math curriculum by 9th grade, and has now started math courses at UWM through youth options. He is in 10th grade. If it hadn't been for the transfer and the wisdom of the eAchieve staff, he might still have been doing pre-Algebra in his old school. "

These families deserve a reporting system that accurately reflects the quality and rigor of their unique school and does not penalize the school for being willing to take a chance on students who have already been failed by and lost hope in the traditional system.

I urge you to amend AB1 to establish a separate accountability system for virtual charter schools or allow them to specifically and explicitly take advantage of the "satisfactory" designation. Furthermore, I urge you to fix the loophole whereby virtual charter schools are being unfairly charged with dropouts who spent all but a few months in some other school and are not re-enrolled in their resident school when returned due to non-participation in the virtual charter school.

Thank you for your time and consideration.

Jan 14, 2015

In regards to the AB1 Educational Bill hearing scheduled today;

AB1 is Wisconsin's legislators first bill of the year 2015. I thank you that it is the first as it is the most important bill considering the affects it will have.

Please do not allow authorities; educators, universities, national, and independent lobbyist (so to speak) cause lack of clarity in seriousness of this bill. Considering the National Department of Education's part in developing the laws that affect everyone in this country. Do not allow further propagandizing or promulgating (if you will) any more initiatives to the detriment of the State of Wisconsin.

Common Core does nothing to protect the individual's critical thinking that has been the cornerstone of America's development.

The use of other cultures tools of submission (religious in practice for ie. Zen, yoga, and others) you would allow Wisconsin to get in line with those who support CCSS initiatives, such as grading schools.

Please consider down the road when different leaders are standing here wanting to improve or wipe the slate of expense or restraints on bills like this.

You are linking Charter and private schools to a grading system that brings them to the same table as a Tier 1 Public school.

The only way to eliminate any requirement to use common core in Wisconsin is to research and write specifications for the UW Valued Research Center/VARC following Wisconsin's recognized norm; NOT the national recognized norm. This requires the DPI or state superintendent to develop their own test. On this point Wisconsin must not waiver.

Thank you for your efforts that weigh heavily on all citizens, but especially Wisconsin!

Sincerely,

Janet Oakley
309 W Parkview St
Cottage Grove WI
53527

AB1 Assembly Hearing Testimony
Barry O'Connor, Appleton, 920-475-5795
January 14, 2014

Hello, I am Barry O'Connor, a former high school principal, creator and board member of a charter school, and a current Appleton School Board member. Thank you for the opportunity to share some thoughts with you regarding school accountability in our state. And, more importantly, thank you for your concern for the education of all of our students.

Permit me to make two points. First, starting with the massive Coleman study done more than 50 years ago, the very high correlation between the percentage of low socio-economic students in a school and the performance of that school has been demonstrated in many studies. The WKCE performance data for the districts and schools across our own state leave little doubt of the power of this relationship.

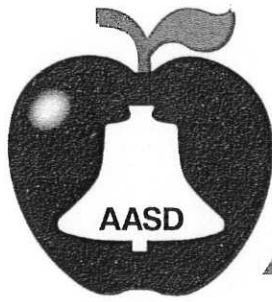
Because of this, any school accountability measure we use must take into account the different challenges that districts and schools face, and the reported results should acknowledge these greater challenges. Our current report card does not do this and, consequently, AB1 will mislabel many schools. Having worked as an administrator in different districts, I often shared my belief, with my high performing Appleton North staff, that they should appreciate the education focused mix of families in our attendance area, knowing that we would have struggled to produce such good results in schools with higher percentages of poorly supported students living in poverty.

Claims by schools that they have overcome this powerful influence on results, should be examined closely by those responsible for public policy such as AB1. Often they have built in a selection process that results in application and enrollment of only highly motivated parents and students. In other cases, many of the less successful students leave the school due to school pressure or personal choice. Those that stay, not surprisingly, end up producing better results for the school. This may be positive for that school and the students who stay there, but it worsens the problem for the students who remain in high poverty schools that are now devoid of their most motivated students. AB1 in its present form, will make this worse.

This bill does not do anything to address the key underlying issue that is seldom discussed, schools and districts with high concentrations of struggling families with children living in poverty. If we want to improve our schools, it is time we focus on issues beyond the classroom as well as in the classroom.

The second point I would leave you with is the simple recognition that when you focus a test on two subjects, math and reading, and make it "high stakes," you force educators to narrow the curriculum to those areas. Where do science, technology education, world languages, history, economics, physical education, art and music fit? This is especially damaging to struggling students who need to find school activities and educators that excite and motivate them, and convince them to engage in learning.

This bill, in its current form, may have the unintended result of reinforcing the sense of failure many students experience rather than effectively addressing your concern for the youth of Wisconsin. These students and our state cannot afford to miss out on the benefits of a quality educational system.



Appleton Area *School District*

Office of the Superintendent

Lee D. Allinger

Thomas G. Scullen Leadership Center | 122 E. College Avenue, Suite 1A | PO Box 2019 | Appleton, Wisconsin 54912-2019
Phone: (920) 832-6126 | FAX: (920) 832-1725 | www.aasd.k12.wi.us

TO: Assembly Committee on Education
Representative Jeremy Thiesfeldt, Chair

FROM: Appleton Area School District

RE: 2015 Assembly Bill 1

DATE: January 13, 2015

The School Board and Leadership Team of the Appleton Area School District are writing to express concerns with the recently introduced School Accountability Bill AB1. AB1 seeks to replace the current accountability system. The current accountability system requires all students in publicly funded schools to participate in state assessments, the student information system, and the state report card system. Problems with the development and proposed language in AB1 include:

- ✓ **Development Process:** The present accountability system was developed with a very transparent process, considered educational research, and included diverse stakeholder perspectives by way of the Accountability Design Team. There is no evidence that such a thorough process was undertaken to develop the proposed language for AB1.
- ✓ **Loss of Local Control:** AB1 calls for the establishment of an Academic Review Board (ARB). The ARB would have the authority to promulgate rules governing, among other things, consequences for schools identified as needing improvement. Ultimately, the ARB would become the authorizer of Independent Charter Schools located in school districts across the state. Locally, elected Boards of Education currently work with the State Department of Public Instruction to implement sanctions.
- ✓ **Reliance on Independent Charter Schools:** AB1 calls for schools that do not meet improvement criteria established by the ARB to be converted to an Independent Charter School. No existing research indicates that Independent Charter Schools have a track record of successfully turning around schools in need of improvement.
- ✓ **Schools Selecting from Multiple Tests:** AB1 allows schools to select from one of three accountability tests. Leadership from the very agency (Value Added Research Center in Madison) has shared that utilizing multiple tests is not a reliable way to compare the performance of different schools.
- ✓ **Conversion to a Letter Grading System:** AB1 would give letter grades to schools, A, B, C, D, and F. The Design Team that developed the present accountability system did not adopt a letter grade rating system. This was a conscious decision on their part based on their understanding of how a school report card score is based on a very narrow band of school data. To label a school as a "failing school" based on student performance on one test in math and reading does not adequately reflect the quality of the schooling experience.

(Page 2)


It has also become evident that after three years of school report cards, there is a strong correlation between a school's poverty level and their report card score. A December of 2012 report, *Wisconsin School Report Cards, A Study Examining School Achievement and Poverty in Public and Charter Schools*, completed by the Forward Institute, details the strong correlation between school poverty levels and report cards scores. (A copy of this study is also attached.) Until poverty can be adequately accounted for in the school accountability process, we should not label schools as failing based on the report card score.

Finally, it is our hope that you and fellow Assembly members will reconsider the need to move forward with AB1. While there may be the desire to change the existing school and district accountability system, such a change should involve all stakeholders in a transparent process that considers what has gone well under the current system, what is not working well, and what research is telling us about best practice in the school and district accountability system. The DPI has utilized such a process with the new Educator Effectiveness Teacher Evaluation System. We have every confidence in the DPI's ability to bring meaningful reform to the existing School Accountability System.

Sincerely,



Lee Allinger
Superintendent of Schools



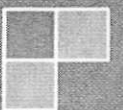
Sharon Fenlon
School Board President

2012

Wisconsin School Report Cards

A Study Examining School Achievement and
Poverty in Public and Charter Schools

Prepared by Forward Institute, Inc., a non-partisan public policy education
foundation in Wisconsin



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“Forward Institute is a non-partisan, non-profit progressive think tank for public policy issues in Wisconsin. The Institute combines original, government, and academic research with original message and communication methods to educate and inform the public on critical progressive policies.”

www.forwardinstitutewi.org

Executive Summary

This report documents findings from our analysis of the school performance data released through the Wisconsin Department of Public Instruction (DPI) Report Cards. For the purposes of this study, a charter school is defined by DPI in the Report Card data, indicated as "Y" in the "Charter School indicator" column of the DPI data spreadsheet.¹ These charter schools include instrumentality and non-instrumentality entities. Public schools represent 95% (1,772 schools) of the total data set, charter schools 5% (101) of the total. The data show:

- **Higher DPI Report Card scores have a significant correlation with lower economically disadvantaged (ED) enrollment.**
- **Almost half of the variation from school to school in DPI Report Card scores can be explained by the variation from school to school in level of ED enrollment.**
- **On average, public schools have outperformed charter schools on DPI Report Card scores.**
- **Even when adjusting for poverty (e.g. ED enrollment) in the analysis, public schools performed better on the DPI Report Cards than charter schools.**
- **The aforementioned finding becomes most prominent in schools serving the poorest students.**

We urge Wisconsin legislators to work with state educational leadership and citizens to address the significant correlation between economic disadvantage and educational outcome. Based on the Report Card data and this study, it is our recommendation that well-informed public policy should address the following:

- Economic disadvantage should be acknowledged as a significant factor affecting education outcome. Future economic and education policies need to receive equal and collaborative consideration as the highest priority in the state budget. Both have significant impact on each other.
- Any assessment having direct economic consequences for schools or teachers ought to be conducted independent of the current Report Card scoring system. As the study clearly shows, a very significant factor affecting Report Card scores is poverty, something which is outside the control of teachers and schools. Public policy should therefore necessarily address economic justice as part of any serious effort to improve education, and schools today should not be labeled on the basis of factors beyond their control.
- A re-evaluation of charter school performance, standards and accountability needs to be conducted and addressed immediately. It is clear from the results of this study that

¹ Wisconsin DPI Report Card Data Spreadsheet <http://reportcards.dpi.wi.gov/files/reportcards/xls/2011-12reportcarddata.xlsx>

overall, charter schools are underperforming at the core level of their mission – student excellence and achievement.²

- The data clearly show that public schools are doing a better job offsetting the effects of poverty on education than their charter school counterparts. A concerted effort should be made to ascertain how and why this is the case, replicate that effort in charter schools, and reinforce those standards and methods.
- A significant informational campaign should be engaged to inform the public about the results of this report and encourage participation in the future of education and economics in Wisconsin. Teachers deserve to be restored to their place as legitimate authorities on classroom education policies, as well as public policy addressing the local economic impact on students in classrooms.

Background

The Wisconsin Department of Public Instruction (DPI) recently released Report Cards for a majority of public and charter schools in the state. Public schools comprise 95% (1,772 schools) of the total data set, charter schools comprise 5% (101) of the total.

The Report Cards represent a compilation of three years of data intended to provide a standard of measure for school, student, and teacher performance.³ Forward Institute is conducting an extensive study on the effects of Wisconsin 2011 Act 32 on high poverty vs. low poverty school students, to be completed in January 2013.⁴

As part of the data analysis in our Act 32 Study, we used the recent Report Cards to examine the correlations between poverty and educational outcome in Wisconsin charter and public schools. The Report Cards are an appropriate data source as they use the same criteria over a three-year period to obtain a percentile score. The Report Cards are also having a significant impact on policymakers as future education policy and assessment are being formed.⁵

² La Causa charter school mission statement http://wisconsin.webschoolpro.com/la-causa-charter-school_WI07936191121/mission.html

³ Wisconsin DPI Report Card website <http://reportcards.dpi.wi.gov/>

⁴ Forward Institute website, Research tab <http://forwardinstitutewi.org/research/>

⁵ Milwaukee Journal Sentinel, October 22, 2012 <http://www.jsonline.com/news/education/new-school-performance-report-cards-released-monday-gf79n66-175227591.html>

Act 32 Biennial Budget

Wisconsin has made a public policy decision over the last two biennial budgets to cut funding for public education. Wisconsin 2011 Act 32 reduced total state aids to school districts by \$792 million. The current reduction follows a \$284 million cut in the 2009-11 biennial state budget passed under Governor Jim Doyle. Together, these two biennial budgets have cut state aid to public school districts by more than one billion dollars.⁶ Act 32 also reduced the revenue limit in Wisconsin school districts by 5.5%. As a result, local school districts have lost \$1.6 billion in revenue compared to prior budgets.⁷

The 2011-2013 biennial budget also provides funding in Milwaukee and Racine for low-income students to attend private schools at no charge. These school choice programs are funded at 61.6% with general program revenue (GPR) and 38.4% by the Milwaukee and Racine school districts through an adjustment to the district's general equalization aid calculation. In fiscal year 2012, the state provided \$143.6 million GPR for these school choice programs.⁸

There is a new emphasis on charter schools⁹ to address the growing problem of school performance, and there are more Wisconsin charter schools today than ever before.¹⁰ State funding of public education has been cut, while state funding to non-traditional charter schools has increased.¹¹ All of the above factors have placed considerable strain on public school districts in Wisconsin; and has made charter schools more attractive to parents of economically disadvantaged children looking for educational solutions.

Increase in Economically Disadvantaged Enrollment

Wisconsin DPI defines an "Economically Disadvantaged" (ED) student as being in a family eligible for the federally funded school free or reduced price lunch program. The 2012-2013 income thresholds can be found in Table 2.

⁶ "Making Matters Worse: School Funding, Achievement Gaps and Poverty Under Wisconsin Act 32," James J. Shaw and Carolyn Kelley, May 4 2012, UW-Madison Educational Leadership and Policy Analysis <http://elpa.education.wisc.edu/docs/elpa-documents/shawandkelleypolicybrief.pdf?sfvrsn=2>

⁷ Ibid

⁸ Ibid

⁹ Milwaukee Journal Sentinel, November 14, 2012 <http://www.jsonline.com/blogs/news/179212411.html>

¹⁰ Allen J. Borsuk, Senior Fellow in Law and Public Policy, Marquette University, August 6, 2011 <http://www.jsonline.com/news/education/127076393.html>

¹¹ Wisconsin 2011-2013 Budget, report pg. 42 <http://budget.wisc.edu/wp-content/uploads/2011/03/Read-the-states-Budget-in-Brief-summary..pdf>

From 2001–2012, Wisconsin has seen a dramatic increase in ED students, and a significant decrease in non-ED students, as total enrollment has remained relatively constant. Total enrollment has decreased slightly from 877,379 in 2001 to 870,470 in 2012. ED enrollment has increased from 211,702 (24.1%) in 2001 to 354,830 (40.8%) in 2012. Non-ED enrollment has decreased from 665,677 (75.9%) in 2001 to 515,640 (59.2%) in 2012.¹² See Figure 1.

Significantly, the rate of increase in ED enrollment is larger than the rate of decrease in non-ED enrollment. This is illustrated in Figure 2 which converts the enrollment percentages over time to a fold change (increase or decrease on a log scale) relative to 2001 baseline. Note the difference in slope is twofold. Increase in ED enrollment ranges from 0 to 0.2; while the decrease in non-ED enrollment ranges from 0 to -0.1. This is likely a function of a growing income gap over time; as non-ED students graduate they are being replaced by new ED students. Coupled with non-ED students becoming ED because of economic conditions, there is a greater increase in ED students.

Simply stated, students in Wisconsin are becoming ED at an increasingly higher rate over the past decade. Our study found that charter schools do no better than public schools in helping low income students. If Wisconsin aims to move forward in educating an increasingly economically disadvantaged student population and preparing these students for life after high school, significant public policy changes must be made. Fiscal and educational policy must receive equal and intertwined consideration, for one has a significant effect on the other.

Study Results

Our study analysis of the Report Card data supports the following findings:

- 1. On average, public schools scored better on the Report Card scores than charter schools. See Figure 3.**
- 2. Even when adjusting for poverty (e.g. ED enrollment) in the analysis, public schools performed better on the Report Cards than charter schools.**
- 3. Public schools with high ED enrollment scored significantly higher than their charter school counterparts with high ED enrollment.**
- 4. ED enrollment is a significant contributing factor in the Report Card scores; almost half of the variation in Report Card score from school to school can be explained by variation in ED enrollment from school to school.**

¹² Wisconsin DPI website <http://dpi.state.wi.us/sig/index.html>

Analysis

Raw data were extracted from Wisconsin DPI Report Card scores.¹³ Eleven percent of schools did not receive a Report Card score, having insufficient data to generate a score. These schools, for the most part, are charter schools of high ED enrollment and have been open one year or less. In addition, only the test scores of students meeting “full time” status are reported to DPI. This small number of unreported students and schools likely has an insignificant effect on outcomes. Also noteworthy, unreported schools and students largely fall into the ED category, and would likely serve to reinforce the results of our analysis.¹⁴

Data analysis was performed using SAS (version 9.2; SAS Institute, Cary, NC) by Dr. Kirstie K. Danielson, Assistant Professor, University of Illinois at Chicago. The SAS analysis is available on the Forward Institute website.¹⁵ Significant relevant findings are highlighted:

Background

1. Mean Report Card score for all schools is 70.2%.¹⁶
2. Mean ED enrollment is 42.5% for all schools.¹⁷
3. Public schools represent 94.6% (1772) of total schools, charters comprise 5.4% (101) of total schools.¹⁸

Charters Compared to Public Schools

4. The analysis separates the schools by public and charter, and creates tertiles (three equal groups) of ED enrollment percentiles. The ED enrollment tertiles are as follows:

High income tertile (0 - <30.4% ED enrollment)
Middle income tertile (30.4 - <48.9% ED enrollment)
Low income tertile (\geq 48.9% ED enrollment)

¹³ Wisconsin DPI website <http://reportcards.dpi.wi.gov/>

¹⁴ Wisconsin DPI Report Card data <http://reportcards.dpi.wi.gov/files/reportcards/xls/2011-12reportcarddata.xlsx>

¹⁵ Dr. Kirstie K. Danielson, University of Illinois-Chicago, SAS analysis (version 9.2; SAS Institute, Cary, NC) 10/25/12
<http://forwardinstitutewi.org/research/>

¹⁶ Ibid pages 1-3; mean and plots of Report Card score distribution.

¹⁷ Ibid pages 4-6; mean and plots of ED enrollment distribution.

¹⁸ Ibid page 7

Based on this analysis, the distribution in ED enrollment in charters is significantly different from public schools. In comparing the tertile of highest economic disadvantage (low-income tertile), the percentage of charter schools (43.6%) that have higher ED enrollment is greater than the percentage of public schools (32.7%) that have higher ED enrollment.¹⁹

5. Analysis compares the mean Report Card scores of public and charter schools. Public school mean Report Card score is 70.4, while the charter school mean score is 66.7. The outcome of this test indicates that the public school mean Report Card score is significantly higher than the charter school mean Report Card score.²⁰

The Relationship Between Report Card Scores and Economic Disadvantage

6. Analysis shows that even when statistically controlling for the differences in poverty (e.g. ED enrollment) between public and charter schools, public schools perform better on Report Card scores than charter schools. In essence, when “equalizing” the degree of poverty between public and charter schools, public schools have higher Report Card scores than charter schools. Further, this analysis indicates that ED enrollment has a significant effect on Report Card scores.²¹

7. Analysis of the association between Report Card score and ED enrollment for all schools, stratified by public and charters shows that almost half of the variation in Report Card scores from school to school can be explained by variation in ED enrollment (See Figure 4). The analysis also determines that while ED enrollment goes up, Report Card score goes down, but the negative effect is stronger for charter schools. For each 10% increase in ED enrollment, charter school Report Card score decreases by 3.7 points, where public school score

¹⁹ Dr. Kirstie K. Danielson, University of Illinois-Chicago, SAS analysis (version 9.2; SAS Institute, Cary, NC) 10/25/12 <http://forwardinstitute.org/research/> page 8; Row 1 indicates N = public schools, and Row 2 Y = charter schools; Columns 0, 1, and 2 represent the ED enrollment tertiles; Chi Square test (p=0.037) indicates significant difference in ED enrollment distribution.

²⁰ Ibid page 9; since the “Equality of Variances” at the bottom of the page has a p-value <0.0001, we use unequal variances (Satterthwaite) for the Student’s t-test and the difference in mean scores is statistically significant, p=0.02. Pages 10-11 show the linear regression which assumes equal variances.

²¹ Ibid page 13; public schools perform better than charters, p=0.02; and ED enrollment has a significant impact on Report Card scores, p<0.0001.

decreases by 2.5 points.²² This could be interpreted as the effects of poverty are lessened in public schools compared to charter schools.²³

8. Mean Report Card scores between public and charter schools were compared within the high, middle, and low income tertiles described in number 4 above. Analysis showed no significant difference between public and charter school Report Card scores in high and middle income tertiles. There is, however, a highly significant difference in the low income tertile (see Table 1). A graph of the results can also be found in Figure 5.

Table 1. Mean (Standard Deviation) Report Card Scores for Public and Charter Schools, stratified by Tertiles of Income (Percent of ED Enrollment)

	High Income	Middle Income	Low Income
Percent of ED enrollment	0 - <30.4%	30.4 - <48.9%	≥48.9%
Public Score Mean	75.3 (5.2)	71.1 (5.2)	64.8 (8.5)
Charter Score Mean	77.6 (12.0)	72.9 (6.9)	55.1 (15.1)
Is difference significant?	no	no	yes

Of the three tertiles, it is the low income tertile group which has a significant difference between public and charter schools.²⁴ **Public schools with high ED enrollment scored significantly higher than their charter school counterparts with high ED enrollment.**

Conclusions

The inequity of results in charter school performance is evident at the low end of the Report Card score outcomes. While the highest scoring school is a charter (96 – Wauwatosa STEM), the highest scoring public school is less than 1 point lower (95.1 – Caledonia Elementary, Portage Schools). By contrast, the lowest scoring school is also a charter. Milwaukee WORK Institute scored more than 10 points lower (19.6) than Milwaukee South Division High School, the lowest scoring public school (29.8). Three additional Milwaukee

²² Dr. Kirstie K. Danielson, University of Illinois-Chicago, SAS analysis (version 9.2; SAS Institute, Cary, NC) 10/25/12 <http://forwardinstitutewi.org/research/> pages 14-15(16-17); variation in scores linked to ED enrollment R^2 values for public=0.47 and charter=0.44; negative slope of association between score and ED enrollment for charter schools = -0.37, while the public school slope = -0.25; analysis on page 14 shows $p < 0.0001$ for the difference in slope between public and charter schools.

²³ Statistical note: ED enrollment is centered at the median ED enrollment of 39%; therefore the intercepts in Figure 3 refer to 0% ED enrollment, while the intercepts on pages 13-17 refer to 39% ED enrollment.

²⁴ Ibid pages 18-20; numbers in parentheses indicate standard deviation for scores; High Income, $p=0.29$, Medium Income, $p=0.22$, Low Income, $p < 0.0001$

charter schools scored lower than this Milwaukee public high school; North Division Charter High School (21), Alliance School of Milwaukee (23.4), and Community High School (27.7).²⁵

The economic reality of more students being forced into poverty and the effects of poverty on education are not being addressed effectively by current public policy. This study confirms that socio-economic policy and education are directly linked. Act 32 and prior economic policy decisions have cut funding to public education; worse yet, as the evidence clearly shows, the new focus on charter schools as a solution to educational outcomes for students in poverty requires serious re-assessment.

The following public policy changes are critical to address these significant issues:

1. Economic disadvantage should be acknowledged as a significant factor affecting education outcome. Future economic and education policies need to receive equal and collaborative consideration as the highest priority in the state budget. Both have significant impact on each other.
2. Any assessment having direct economic consequences for schools or teachers ought to be conducted independent of the current Report Card scoring system. As the study clearly shows, a very significant factor affecting Report Card scores is poverty, something which is outside the control of teachers and schools. Public policy should therefore necessarily address economic justice as part of any serious effort to improve education, and schools today should not be labeled on the basis of factors beyond their control.
3. A re-evaluation of charter school performance, standards and accountability needs to be conducted and addressed immediately. It is clear from the results of this study that overall, charter schools are underperforming at the core level of their mission – student excellence and achievement.²⁶
4. The data clearly show that public schools are doing a better job offsetting the effects of poverty on education than their charter school counterparts. A concerted effort should be made to ascertain how and why this is the case, replicate that effort in charter schools, and reinforce those standards and methods.
5. A significant informational campaign should be engaged to inform the public about the results of this report and encourage participation in the future of education and

²⁵ Wisconsin DPI website <http://dpi.state.wi.us/reportcards/districts.html>

²⁶ La Causa charter school mission statement http://wisconsin.webschoolpro.com/la-causa-charter-school_WI07936191121/mission.html

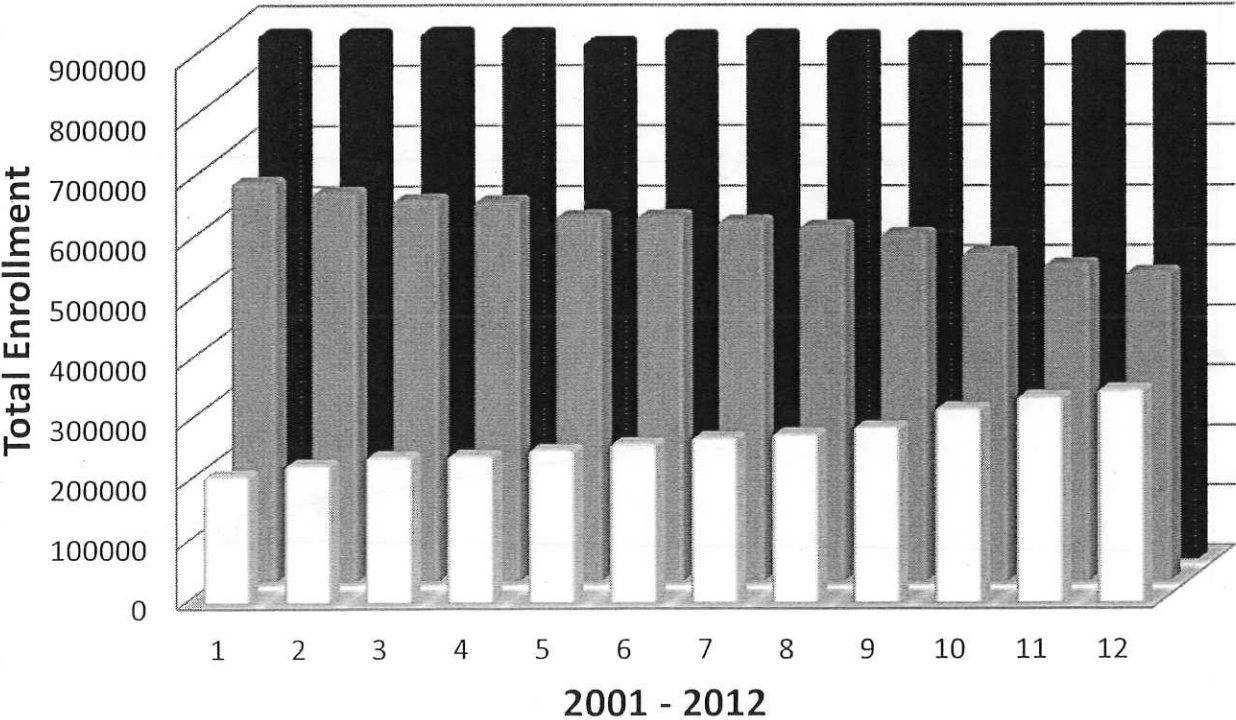
economics in Wisconsin. Teachers deserve to be restored to their place as legitimate authorities on classroom education policies, as well as public policy addressing the local economic impact on students in classrooms.

Table 2. Income Thresholds for Free/Reduced Price Lunch Qualifying Students as Economically Disadvantaged

Household Size	<u>Free</u>			<u>Reduced</u>		
	Yearly	Monthly	Weekly	Yearly	Monthly	Weekly
1	14,521	1,211	280	20,665	1,723	398
2	19,669	1,640	379	27,991	2,333	539
3	24,817	2,069	478	35,317	2,944	680
4	29,965	2,498	577	42,643	3,554	821
5	35,113	2,927	676	49,969	4,165	961
6	40,261	3,356	775	57,295	4,775	1,102
7	45,409	3,785	874	64,621	5,386	1,243
8	50,557	4,214	973	71,947	5,996	1,384
9	55,705	4,643	1,072	79,273	6,607	1,525
10	60,853	5,072	1,171	86,599	7,218	1,666
11	66,001	5,501	1,270	93,925	7,829	1,807
12	71,149	5,930	1,369	101,251	8,440	1,948
For Each Additional Household Member Add	+5,148	+429	+99	+7,326	+611	+141

Source: Wisconsin DPI website <http://dpi.wi.gov/fns/fincou1.html#ig>

Figure 1. Economically Disadvantaged Compared to Non-Economically Disadvantaged Total Enrollment, 2001-2012



- Economically Disadvantaged
- Non-Economically Disadvantaged
- Total

Figure 2. Fold Increase in Economically Disadvantaged Enrollment Compared to Fold Decrease in Non-Economically Disadvantaged Enrollment (Both Log Scale)

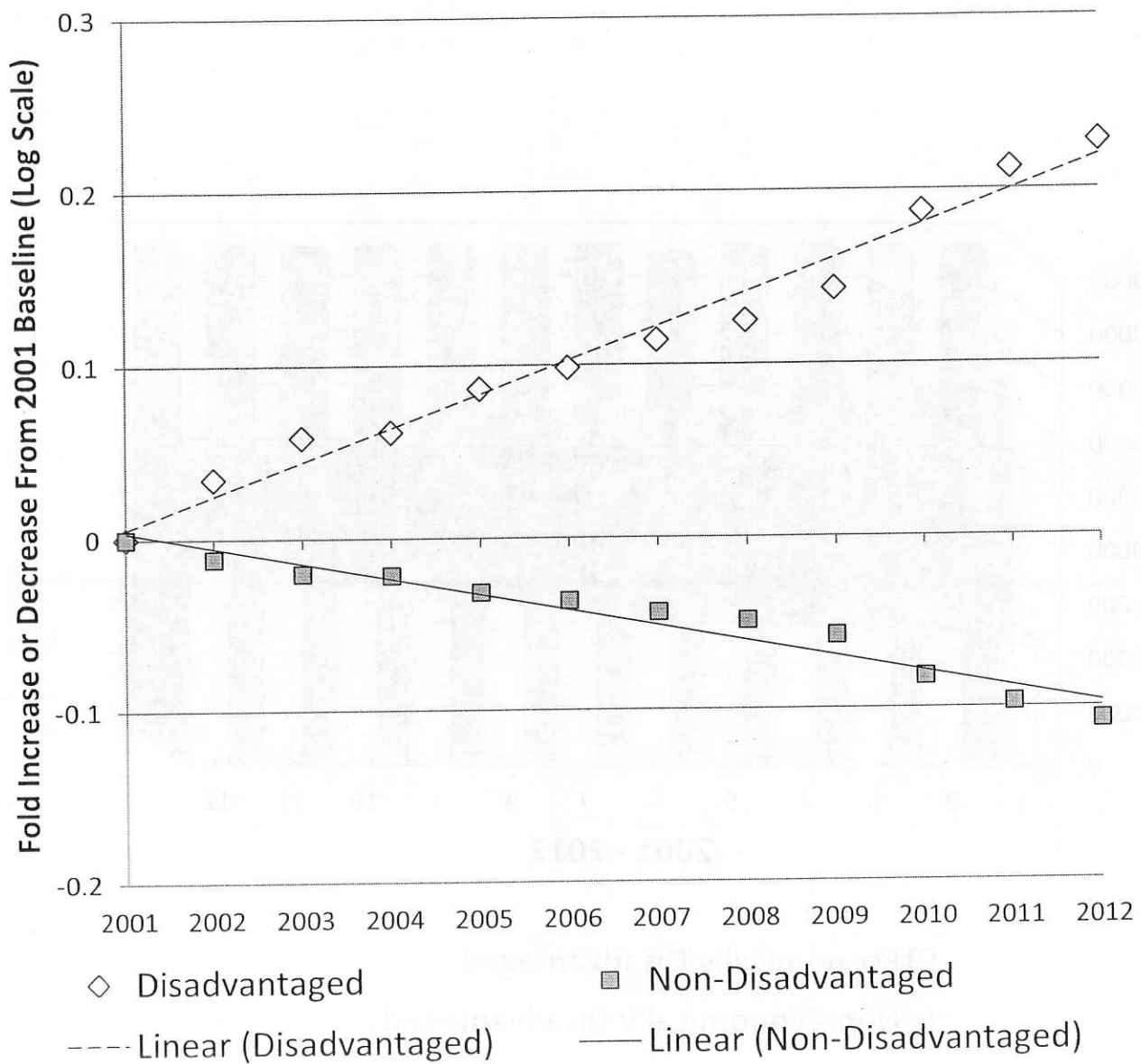
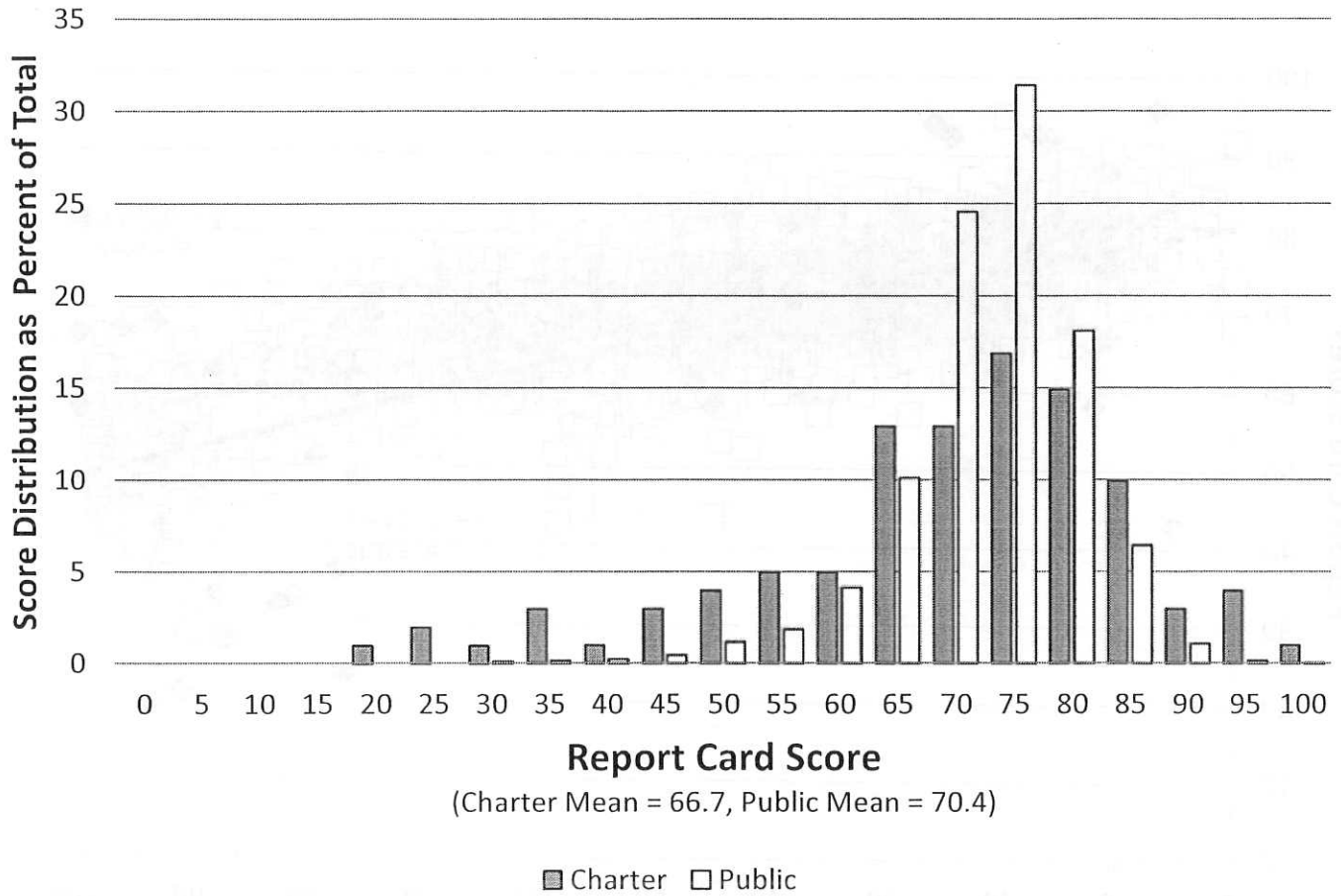


Figure 3. Distribution of Public and Charter School Report Card Scores



- 0 – 52.9 = Fails to meet expectations
- 53 – 62.9 = Meets few expectations
- 63 – 72.9 = Meets expectations
- 73 – 82.9 = Exceeds expectations
- 83 – 100 = Significantly exceeds expectations

Figure 4. Lower Report Card Scores Associated With Higher Percentage Economically Disadvantaged Enrollment, Stratified by Public and Charter Schools

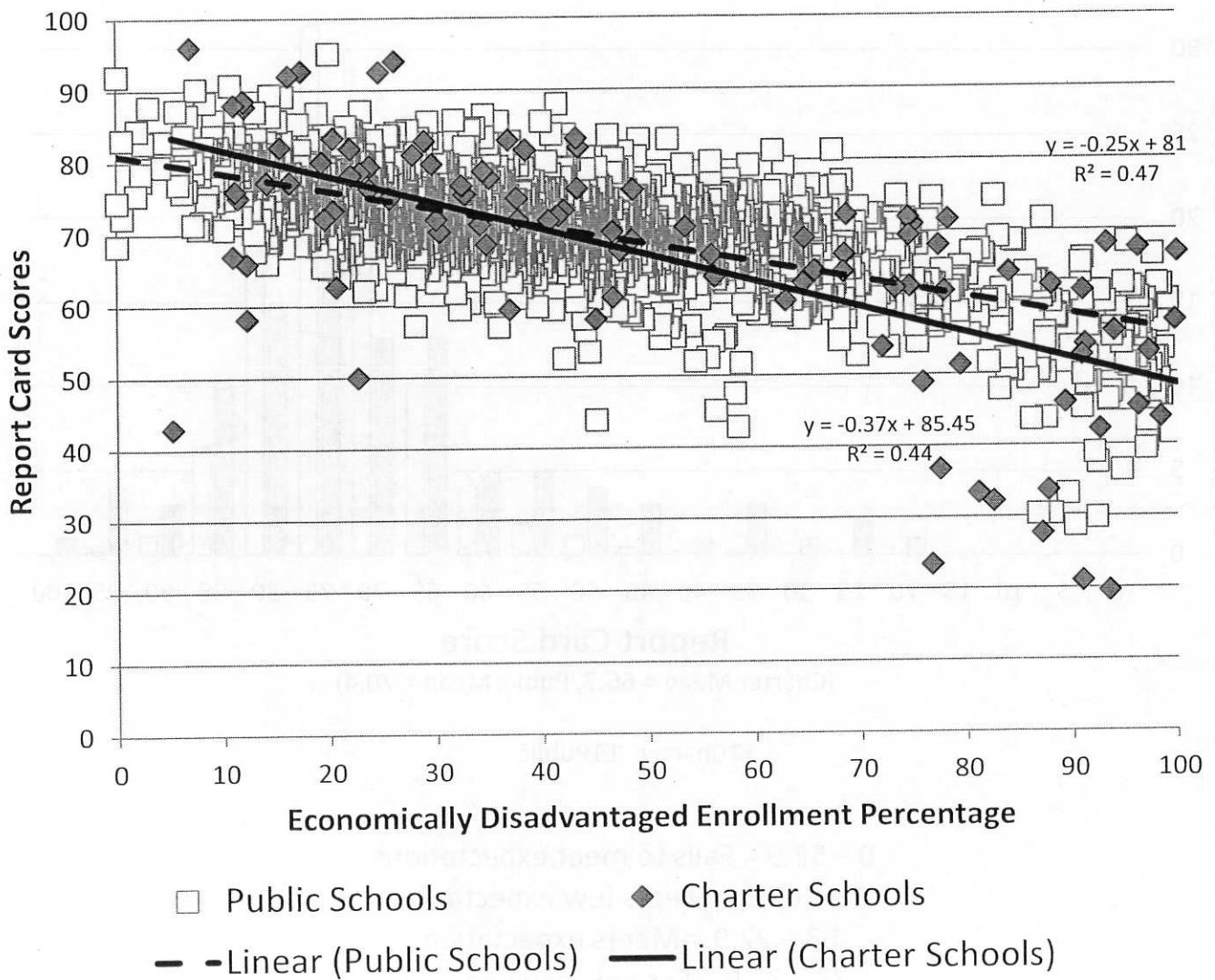
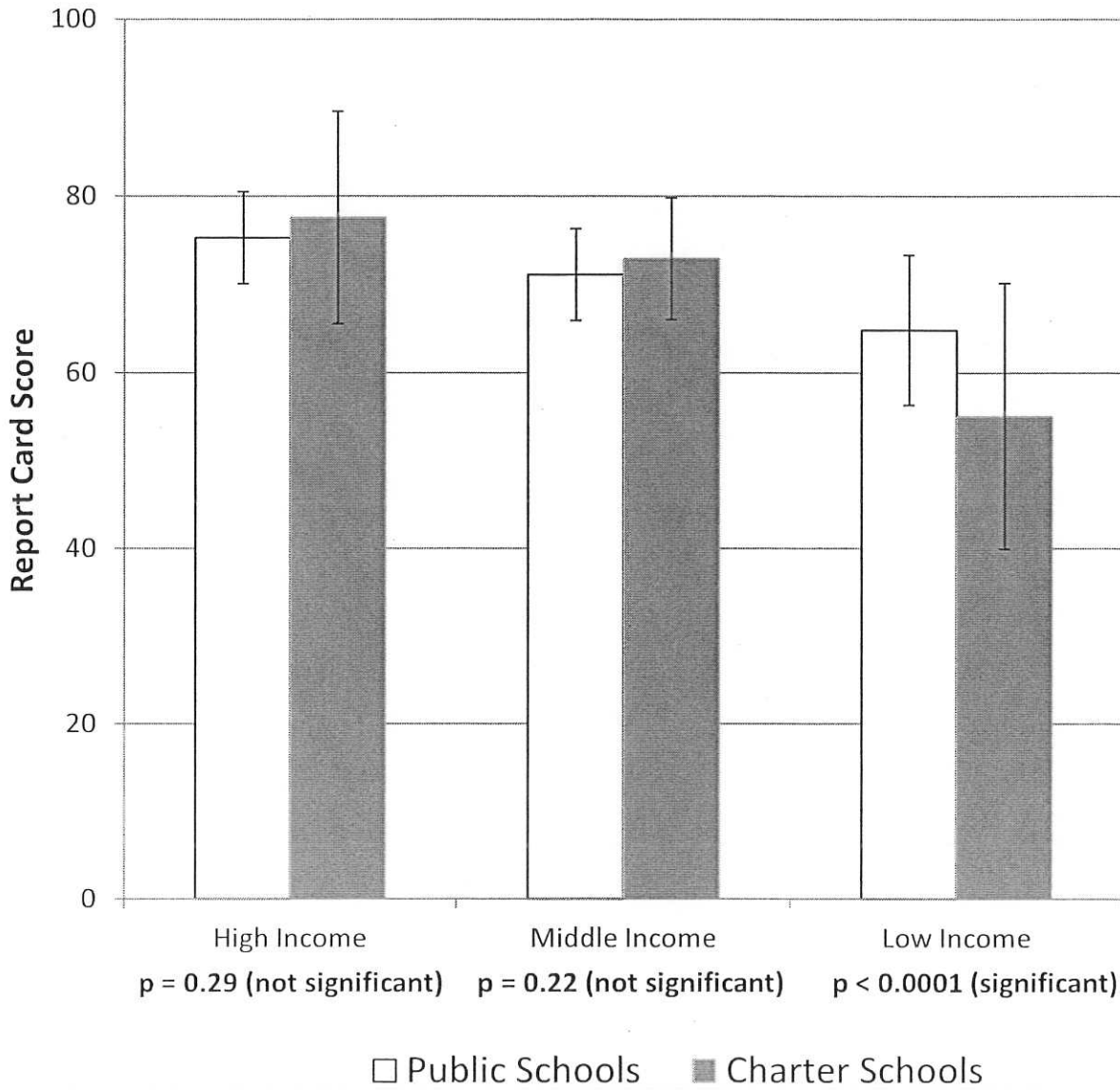


Figure 5. Low Income Charter Schools Score Significantly Worse than Low Income Public Schools



Data plotted are mean Report Card scores stratified by income and public/charter schools, with standard deviations. **High and Middle Income score differences between public and charter schools are not statistically significant, while the Low Income difference is significant.**

Jim Bowman

Member of the Appleton School Board

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The School Board and Leadership Team of the Appleton Area School District have numerous concerns with School Accountability Bill, AB1. Two of them are the loss of local control and the reliance on independent charter schools.

Assembly Bill 1 would create a state-level Academic Review Board (ARB) that reviews all schools that receive public funding. The ARB would determine whether they are making academic progress and would assign consequences for “failing”. Persistently low-performing public schools would be subject to seven years of improvement plans and sanctions before the schools would be converted into independent charter schools under the oversight of the ARB.

Control gained by the ARB is control lost by residents. Currently the Board on which I serve is accountable to them. The other 6 members and I run for election every 3 years and we can be replaced. Residents like being in control of their schools. AB1 undermines local control

There appears to be an assumption, behind AB1, that for-profit charters produce superior student outcomes. Yet there is no solid evidence that independent charter schools governed by a board of political appointees in Madison would perform better than the locally governed public schools they replace.

My school district is very familiar with charter schools – we operate 15 of them. From the Renaissance School for the Arts to Tesla Engineering to an Alternative High School, we value the theme education that that our charters offer because it fits **some** students. As a Board member, I can see how a charter provides an effective learning environment for a **specific** kind of student. A charter is not, however, a broad turnaround tool.

The members of the Assembly Education Committee need to recognize that each community is different. If learning is not taking place for students in a specific community, then the cause is probably specific to that community. Lumping learning problems into a big bucket, as AB1 does, is ineffective and harmful because it delays meaningful reform.



WISCONSIN
ASSOCIATION OF
SCHOOL BOARDS

wasb.org

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Members of the Assembly Education Committee: Thank you for this opportunity to share some thoughts with you. I am Mike Blecha, a member of the Green Bay Area School Board and president of the Wisconsin Association of School Boards.

But my testimony today also comes from my experiences as a volunteer at Fort Howard Elementary School in Green Bay. For the past 13 years – three of them prior to my election to the school board – I have spent two afternoons a week reading with students selected by their teachers.

The academic transformation that is occurring at Fort Howard can, I believe, serve as a model for other high poverty schools in Wisconsin.

This is happening because of additional resources, increased parent and community involvement and through the direction of a locally elected school board.

Let me tell you about Fort Howard: It has about 260 students and is located a few blocks from the Fox River on the city's near west side. More than half of its students are Hispanic. It also serves American Indians,

Asians and African-Americans. It also serves 42 white students.

It has one of the highest poverty rates in our school district, with 95 percent of the students qualifying for free and reduced meals. Twenty-nine of its students are homeless.

Two years ago Fort Howard was identified by the state as a Title I Priority School because of low academic achievement. Our district is receiving additional financial aid to help improve student achievement, and we've added 300 instructional hours to the academic year.

Those additional hours were mandated. But our school district – under the direction of a locally elected school board – customized the Priority School plan to meet the needs of our students and families.

Starting in the fall of 2013, we assigned a veteran principal to the school, DeAnn Lehman. DeAnn brought to Fort Howard School teachers who believed in her and the vision for the school.

DeAnn and her staff increased parent involvement, and parents eagerly bought in to the plan to have their children receive additional classroom instruction. Partnerships with community organizations were intensified.

The result? Fort Howard's 2012-13 report card gave the school a "Fails to Meet Expectations" rating. The following year the school rose one category to "Meets Few Expectations." There were dramatic increases in reading and mathematics growth and in closing the achievement gaps.

Yes, Fort Howard has a long ways to go. But we are confident that growth will continue. Being in classrooms every week I can see a dramatic change in the school's culture and the willingness of teachers and other staff to make sure that no students --- no matter their home situation -- get left behind.

This is being accomplished locally. I can't comprehend how an unelected state Academic Review Board could judge the performance, culture and community and parent involvement in a school by simply reviewing math and reading scores.

And if, in the future, this unelected Academic Review Board decided to turn over the operation of Fort Howard School -- or any public school for that matter -- to an independent charter school, our community would lose control and involvement in the lives of our most precious resource – our children.

Please come to Green Bay and see for yourself.

Thank you for your attention.

Rep. Thiesfeldt, Representative Kitchens and members of the Education Committee...



GREEN BAY AREA
PUBLIC SCHOOL DISTRICT
All learning. All growing.

Thank you for the opportunity to provide feedback today on Assembly Bill 1. My name is Dr. Michelle Langenfeld, Superintendent for the Green Bay Area Public Schools. Today I am here on behalf of the over 21,000 students and families as well as over 3,000 staff, that I have the honor to serve each day.

In the Green Bay Area Public Schools, our student population is richly diverse. We serve over 12,000 students who qualify for free or reduced lunch. We serve almost 4,000 students who are English Language Learners- 366 of them new to the country in the last 2 ½ years and over 800 students who qualify as homeless, as defined by McKinney Vento. On the last state report card, our district received a “meets expectations” ranking.

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Green Bay, Wisconsin 54305

Our district mission is to educate every child, every day, to be college, career and community ready, inspired to succeed in our diverse world. To achieve our mission, we need your help. We are seeking a strong accountability system that improves educational outcomes for all students – one that recognizes that some students need significantly more support and resource to be successful than other students. We are seeking a strong accountability system that acknowledges and encourages continuous improvement while providing the necessary resources and interventions to build capacity and promote sustainability of reform efforts.

Superintendent
Michelle S. Langenfeld, Ed.D.
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We are seeking a transparent, cohesive and unified system of accountability for all schools that take public tax dollars. We are seeking an accountability system that includes clearly understood multiple measures of student success that are reported out to our students, parents and community. We ask that these measures not only define what students know and can do but also bring to light the next steps needed whether they be targeted interventions and supports or rewarding excellence.

We are seeking an accountability system that recognizes the students in a given school and the challenges that they may face each day. And rather than providing punitive letter grades and punishments to children who are doing their very best and to a staff that is working tirelessly, we ask that our system recognizes the progress being made toward proficiency as well as closing the achievement gap.

Finally, we are seeking an accountability system that recognizes the role of local school boards, the community and the families in supporting the educational attainment of every child, every day.

In the Green Bay Area Public Schools, we are richly blessed to be in a community that values our children and our schools. In the winning Tiletown tradition, our community has stepped up and invested in innovative programs that lead to college and career. They have partnered with us to create educational customized pathways and are in the process of aligning community resources to measurably

improve the safety, health, and education of children from birth into their careers – through an initiative called Achieve Brown County - ABC. As our ABC motto states... this is “a commitment to each of us from all of us.”

In summary, the strong accountability system we are seeking reflects the research and evidence-based best practices being implemented in states across the nation where students are achieving at the very highest levels.

We ask that you revise your accountability proposal to reflect these research and evidence-based best practices. In doing so, you will be creating a strong accountability system, focused on success for every child that will surely move the state of Wisconsin forward.

Our children... Our future

Thank you



GREEN BAY AREA
PUBLIC SCHOOL DISTRICT

All learning. All growing.

Hello. My name is Brenda Warren. I am president of the Green Bay Area Public Schools Board of Education. Thank you for the opportunity to speak today.

We are all here because we want to help schools improve, but I have concerns with some provisions in this accountability bill that could hamper school improvement. One major provision is the loss of local control at the point where a school enters Step 1 of Sanctions. Let me tell you why this is of particular concern coming from Green Bay.

Our community is highly invested in the children of Greater Green Bay. In the last year we launched a Brown County initiative called Achieve Brown County, a joint effort of our Chamber of Commerce, United Way, and Green Bay Community Foundation. This initiative is based upon a successful program out of Cincinnati. A number of local businesses, hospitals, and the Packers donated over \$1 million dollars to launch this initiative. Achieve Brown County provides a common framework for working together, across sectors, to measurably improve the safety, health, and education of children from birth into their careers. Their motto is "All kids, Our Future: A commitment from each of us to all of us." I would like to suggest an amendment to this bill that would allow local groups like Achieve Brown County to provide input into determining next steps for a school that has been sanctioned rather than leaving that decision wholly up to the Accountability Review Board. Good schools should be built and nurtured from the ground up by the people most invested in and dependent upon the success of their students and the most knowledgeable about their needs.

One assumption I have heard stated is that public schools cannot innovate as well as charter schools. I respectfully disagree with that statement. In the last few years we have created some very innovative programs in our schools in collaboration with many community partners. This fall we opened a manufacturing plant in one of our high schools that was made possible through the support of our local manufacturers and technical college. We have also had generous community donations toward our new gifted and talented school, our fine arts academy, and our certification programs in automotive repair welding. People in our community realize the value of providing these kinds of experiences for our students, knowing that many of them will become their future employers, and they are willing to invest their time and talents in helping our Green Bay Area students. This kind of local support should be honored and our community should have a voice when decisions are made about how to improve our schools, because our community has already made significant investments in our students.

Lastly, I invite you to visit some of the schools in our district or in your own districts, but especially ones that this bill would deem as "failing" schools. I believe

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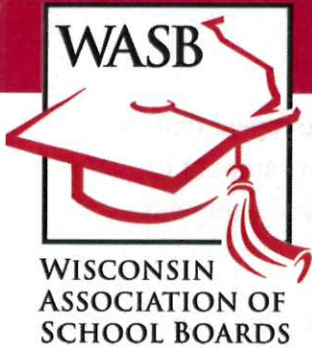
Superintendent

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it would help give you a better understanding of how the challenges our students and schools face impact the results of their school report cards even though the instruction and dedication of the staff in each of our schools is remarkable. Visits like these will prepare you to make the very best decisions for all the students of Wisconsin so at the end of the day we can truthfully say that all schools are improving.



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John H. Ashley, Executive Director

TO: Members of the Assembly Committee on Education

FROM: Dan Rossmiller, Government Relations Director

RE: Testimony on Assembly Bill 1 relating to a school review system, providing an exemption from emergency rule procedures, providing an exemption from rule-making procedures, granting rule-making authority, and making an appropriation.

DATE: January 14, 2015

Mr. Chairman and members, my name is Dan Rossmiller, and I am the government relations director for the Wisconsin Association of School Boards (WASB). Thank you for the opportunity to testify on Assembly Bill 1.

From the outset, let me be clear that the Wisconsin Association of School Boards (WASB) supports efforts to develop a state school accountability system for all schools that receive public funds. To that end, we participated in lengthy efforts chaired jointly by Gov. Walker, the Senate and Assembly Education committee chairs and the State Superintendent. We also supported the initial version of accountability legislation offered last session by Senator Olsen and Representative Kestell.

I applaud the efforts of the chairman to take up this very complicated and contentious, yet important, issue. However, we cannot support the bill before you today for a number of reasons.

Assembly Bill 1 would create a state-level Academic Review Board (ARB) to review all schools that receive public funding. This new bureaucracy--the ARB, comprised of political appointees and armed with rule-making authority-- would determine whether schools are making academic progress and assign consequences for "failing" schools. Persistently low-performing public schools would be subject to seven years of improvement plans and sanctions before the schools would be effectively taken over by the state-level ARB—that is, converted into *independent* charter schools under the oversight of the ARB provided a private authorizer agrees to run the new charter school.

This process would not only strip locally elected school boards of their authority over local schools, perhaps permanently (more about that later), but converting low-performing public schools into independent charter schools would reduce the amount of state aid to *every* public school district in the

state that receives general aid, including districts that have no performance issues. Let me repeat that. Converting low-performing public schools into independent charter schools will reduce the amount of state aid to *every* public school district in the state that receives general aid, including districts that have no performance issues.

Independent charter schools are funded from a first draw on the general aid appropriation. This means per pupil payments made to independent charter schools are taken from general aids before any money is distributed to public school districts. If additional independent charters are created, state aid will be transferred away from students in all districts that receive state general aid. However, proportionately more state aid will be taken from the property poorest school districts in the state, which are most dependent on that aid. The result is likely to be higher property taxes in all school districts, with the effects most severe on the districts that can least afford higher taxes.

Based on current funding levels, for every additional 1,000 pupils in independent charter schools, roughly \$8.1 million will be taken annually from general equalization school aids now sent to school districts. Under revenue limits, the lost state aid may be made up through higher property taxes. Thus, the effect of removing this money from general equalization aid is a potential \$8.1 million increase in property taxes statewide for each 1,000 students. That amount will only grow as per pupil payments to independent charter schools are raised and more public schools are converted to independent charters.

The entire strategy of converting public schools to independent charters rests on the dubious assumption that these new schools will perform better. However, there is no solid evidence that independent charter schools governed by a board of political appointees in Madison would perform better than the locally governed public schools they would replace. We DO know, however, that this type of takeover will eliminate access to locally elected school board members for parents and the public and place control in the hands of distant governing boards that very likely would have little or no connection to the communities in which these independent charters are located. Parents or citizens with concerns or complaints about these schools shouldn't be forced to travel to Madison to deal with a charter school authorizer that is legally required to meet only twice a year.

Further, the bill provides no answer about what is to be done if student performance does not improve under an independent charter school. It is unclear whether a community could ever regain control over its local schools. This is a particular concern in small, rural districts where there is only one school for each grade level.

This is a significant issue. The typical school district in Wisconsin has fewer than 1,000 students. One of every three districts in Wisconsin has only one elementary school, one middle school and one high school, often housed within a single building.

Further, the bill says nothing about where these independent charter schools would be housed. *[Under state statutes, school boards, subject to the authority vested in the annual meeting, have legal responsibility for the possession, care, control and management of the property and affairs of the school*

district.] Is it the authors' intention that these new independent charter schools, which may be run by private for-profit companies, will simply take over the buildings used by the schools they replace? Will they lease these buildings and pay rent to the local district or will this bill lead to an effort to force local school boards to sell their buildings to independent charter operators as has been tried in Milwaukee (MPS)? If so, this really raises a serious question of whether a local community will ever be able to regain oversight of its school/schools once the ARB takes it over.

The question of what will remain of the local school board's authority in such instances is not addressed by this bill and needs to be answered.

The bill raises another important question. How will students in these converted schools get to school? Independent charters are not required by law to provide transportation to the pupils that attend them. Public school districts are not required to provide such transportation to either.

Assembly Bill 1 would let private schools that accept voucher students to choose which tests voucher students will take for accountability purposes instead of the state standardized tests approved by DPI.

This change conflicts with action the Legislature took just last session when it reaffirmed the requirement that all voucher students take the same state assessments that public school students take.

[WASB members support the proposition that all publicly-funded students should take the same test at the same time and under the same conditions.]

Dropping the requirement in current law that voucher students must take the same state assessments public school students take is a huge step backward. The easiest, fairest, most accurate and most straight-forward comparison possible occurs when all students take the same test at the same time and under the same conditions. If this change is made, we may never get an "apples to apples" comparison of voucher students and public school students.

Although it has been suggested this bill creates a system that "offers significant assistance for improvement (financial, administrative and pedagogical)", Assembly Bill 1 provides no such funding. While the bill contains an appropriation, that appropriation is solely for the UW-Madison's Value-added Research Center for the limited purpose of comparing results from the different tests the bill would authorize.

This bill also addresses none of the social problems (poverty, homelessness) that often contribute to poor student performance.

We have strong concerns that the shift to letter grades will needlessly paint most schools in our state in a negative light in the eyes of the public and could significantly and negatively impact economic development efforts in many communities. Fully 64 percent of schools currently fall in the "meets expectations" category, while the average grade earned by students in the U.S. is a "B" due to grade inflation. If business leaders making location decisions see a "C" grade in a negative light, they are

likely to locate or expand elsewhere. This could have particularly significant ramifications along the border areas of our state.

Currently, Wisconsin statutes describe school and district accountability. Wisconsin's public schools have been subject to school report cards for three years and to district report cards for two years. By most accounts that report card system, including the performance measures currently in use, is working well. That is why we are troubled by changes to the performance measures under Assembly Bill 1.

Earlier this year, the non-partisan Education Commission of the States (ECS) produced a report examining many of the most important attributes of various states' school report cards. That review of school report cards from all 50 states and the District of Columbia found that Wisconsin's existing school report cards are viewed positively by both parents and education researchers. Importantly, education experts identified Wisconsin as one of nine states measuring and reporting what those experts deemed the five essential indicators of a meaningful accountability system.

According to the ECS report, one of the five essential indicators of a meaningful accountability system is a measurement of students' college- and career-readiness. We are concerned that Assembly Bill 1 drops any measurement of college- and career-readiness from among the indicators of school performance despite the ECS report indicating that this measure is widely considered one of the elements crucial to building a strong accountability system.

In order to ensure that upon graduation students have the knowledge, habits and skills needed to succeed in postsecondary education and/or training that will maximize their opportunities for sustainable employment, it makes sense that we should be measuring whether schools are equipping students to graduate or to be on-track to graduate with readiness to succeed beyond high school as a part of our accountability system.

We also concerned that Assembly Bill 1 would subject schools in the bottom two ranking categories to a series of significant consequences, including possible state takeover based on only one year of data. Year to year changes are likely to be far more volatile in schools with smaller enrollments, where the test results of only a few students in a particular subgroup can skew the school's performance rating much more than they could in a bigger school. This bill could unnecessarily shake public confidence in many small, rural districts.

For all of the reasons we have detailed, and others we have omitted in the interest of keeping our testimony to a reasonable length, we cannot support Assembly Bill 1.



School Administrators Alliance

Representing the Interests of Wisconsin School Children

TO: Assembly Committee on Education
FROM: John Forester, Director of Government Relations
DATE: January 14, 2015
RE: Assembly Bill 1 – School & School District Accountability

The School Administrators Alliance (SAA) opposes Assembly Bill 1(AB 1), relating to school and school district accountability. Today I also speak on behalf of the more than 10,000 members of the Wisconsin Retired Educators' Association.

About 3½ years ago, Governor Walker, State Superintendent Evers, former Representative Kestell, Senator Olsen and representatives of all the relevant education interest groups were involved in the creation of the state's School Accountability Design Team charged with crafting a new and innovative accountability system for all Wisconsin schools that educate students with public funds. This new accountability system was envisioned as a replacement for the flawed No Child Left Behind (NCLB) system, which only measured student attainment (not growth) and only included public schools. The Design Team worked for months to develop this next generation accountability system, and it is that work that served as the basis for Wisconsin's current school accountability system.

It is interesting to note that much of the rhetoric surrounding AB 1 would lead you to believe that Wisconsin does not currently have school accountability. Not only does Wisconsin have a school accountability system, but that system ranked among the national leaders in a school accountability study conducted by the Education Commission of the States (ECS) last spring. The ECS report identified Wisconsin as one of just nine states measuring and reporting the five essential indicators of a meaningful accountability system. Parents rated Wisconsin's school and school district report cards as one of only six that are informative, readable and useful. Wisconsin and Ohio were the only two states whose report cards were top picks by parents while also meeting and reporting all five essential indicators.

I'm sure many of you recall that the Executive Directors of four SAA member associations – the Wisconsin Association of School District Administrators (WASDA), the Wisconsin Association of School Business Officials (WASBO), the Association of Wisconsin School Administrators (AWSA) and the Wisconsin Council for Administrators of Special Services (WCASS) – were members of the School Accountability Design Team.

Even though the SAA had strong representation on the Design Team, we were not asked to participate in the AB 1 bill development process. In fact, I don't believe that any of the groups that represented the interests of K-12 public education on the Design Team were a part of the development of AB 1. That being said, Chairman Thiesfeldt, I want to thank you for reaching out to my members late last week and seeking their input on the bill.

The SAA believes thoughtful educational accountability is important and should be based on sound research. It should emulate the evidence-based policies implemented in the highest-performing states and nations.

However, if our objective is to improve academic achievement for all students and close the large and persistent achievement gaps we have in Wisconsin, we believe AB 1 will not move us in that direction. Our belief is based on several concerns we have about the bill.

First, the premise of the bill is fundamentally flawed. Although the focus of AB 1 appears to be punishment, sanctions and converting low-performing public schools into privately run charter schools, research suggests that a more effective path of improvement would be focusing on evidence-based interventions and supports that would help low-performing schools raise their achievement levels.

This past year, the SAA convened a team of its members to identify an evidence-based policy agenda that could provide Wisconsin with an effective pathway to world-class student success. We partnered with researchers at the Wisconsin Center for Education Research at the University of Wisconsin-Madison to provide our team with research and policy expertise. Regarding accountability, we found that even though accountability systems in high-performing states and nations (Massachusetts, Ontario, Finland) vary widely in approach, there is a clear common thread: the need for effective intervention and support to address areas of need and growth at both the school and student levels. Although the means of identifying where development is needed vary among these systems, the focal point for each is providing useful support rather than punishment or blame.

Second, common sense suggests that all schools receiving taxpayer dollars should use the same assessment for accountability purposes. However, AB 1 allows schools to use one of several tests. These multiple tests are certain to reduce validity, transparency and accuracy when comparing the performance of different schools.

Third, the bill creates an Academic Review Board (ARB) and appears to take decision-making authority that has been granted to the statewide elected and independent state superintendent and places it in the hands of an unelected, unaccountable board.

This would create what appears to be an unconstitutional exercise of power. The ARB should make recommendations subject to the state superintendent's final approval. Also, the proposed makeup of the Board appears lopsided, with public school representatives comprising just two of 13 seats. The prescribed ARB membership includes neither a school district administrator nor a school board member. Voucher schools and privately-run charter schools, entities which educate a fraction of the students traditional public schools educate in Wisconsin, are afforded the same representation as public schools.

Fourth, the bill abandons the performance categories established by the state's Accountability Design Team and replaces them with politically charged A-F letter grades. The Design Team engaged in a lengthy, vigorous but very healthy debate on the subject of grading schools that resulted in a clear majority deciding against the use of grades. Over time, evidence has clearly shown that grades are an insufficient way to evaluate the academic performance of children. By extension, if the objective of the school report card is to increase the public's understanding of how schools are performing, then grades are an inadequate means of meeting that objective as well.

The SAA believes accountability in education matters — but we need to do it right. Whatever school accountability system Wisconsin ends up with must move us toward our objective of raising academic achievement for all students and closing achievement gaps. Assembly Bill 1 won't get us there.



Stop Special Needs Vouchers Wisconsin

<https://www.facebook.com/StopSpecialNeedsVouchers>

<http://stopspecialneeds vouchers.org>

14 January 2015

2015 Assembly Bill 1: Public Hearing

Thank you for the opportunity to testify today. My name is Donna Pahaski, and I am testifying on behalf of Stop Special Needs Vouchers, a statewide volunteer group led by families of students with special education needs.

I am also the proud mother of my 23 year old daughter, Mary, who was diagnosed with autism at age 3. Thanks to the investment that our neighborhood school made in her as required by the Individuals with Disabilities Education Act (IDEA), she has now graduated from college and is enrolled at a medical school working on her Masters in Biotechnology. When asked about the major factors that contributed to her academic and social-emotional success, Mary summed up her experience in the Cambridge and Marshall school districts: "They were trained, ready and required by law to address my needs."

Trained, ready, and required by law to address the needs of students with disabilities. Wisconsin should expect nothing less in terms of accountability from schools that educate our students using our tax dollars.

AB1 falls significantly short of those expectations in several areas.

First, it is still not widely understood that private voucher schools in Wisconsin are not required to abide by the IDEA. This fundamental lack of voucher-school accountability for students with disabilities is one of our major objections to special needs voucher proposals. AB1 does not address the issue and therefore will not change that basis for our opposition to special needs vouchers.

Second, in order to have useful comparisons of enrollment and achievement data for students with disabilities, the disability data must be reported using common definitions. Public and charter schools report their disability-related data according to educationally-based categories in Wisconsin state law, but AB1 makes no such requirement for private voucher schools. Unless the definitions are apples-to-apples, the data will be meaningless to the families who need the information.

Third, we know that students with disabilities are disproportionately affected by suspension and expulsion. However, private voucher schools are not currently required to report suspension and expulsion data, and AB1 fails to offer any correction to that.

Finally, AB1 includes provisions that would require converting public schools into independent charter schools under certain conditions. However, we know that Milwaukee's charter schools and public schools are not currently serving comparable percentages of students with disabilities. Over 20 percent

of MPS students are receiving special education services, while that number is under 10 percent in Milwaukee's charter schools. When it comes to students with cognitive disabilities, the numbers are even more concerning: MPS educates a five-times-greater proportion of students with cognitive disabilities than Milwaukee's independent charters. We have serious concerns about the prospect of turning over schools serving a high percentage of students with disabilities to a school sector that is currently failing to educate students with disabilities in fair proportions.

When it comes to students with disabilities, AB1 is a seriously flawed bill.

Thank you for your consideration of these issues.

Donna Pahuski
for Stop Special Needs Vouchers
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Cambridge, WI 53523

Brown Deer

Cudahy

Elmbrook

Fox Point/
Bayside

Franklin

Glendale/
River Hills

Greendale

Greenfield

Hamilton

Hartford

Kenosha

Kettle Moraine

Milwaukee

Menomonee Falls

Mequon-Thiensville

Muskego-Norway

Nicolet

Oak Creek/
Franklin

Oconomowoc

Pewaukee

Port Washington/
Saukville

St. Francis

Shorewood

South Milwaukee

Waukesha

Wauwatosa

West Allis/
West Milwaukee

Westosha UHS

Whitefish Bay

Whitnall

January 14, 2015

My name is Terri Phillips and I am the Executive Director for the Southeastern Wisconsin Schools Alliance (SWSA). We represent 29 school districts in the Southeastern Wisconsin region and educate approximately 200,000 students.

As a large organization representing many public schools families, we appreciate the opportunity to testify at today's public hearing and share our position on the proposed Assembly Bill 1 on School Accountability.

While the SWSA strongly believes in and welcomes accountability within the field of education, we have strong concerns regarding many aspects of the initial proposal. We encourage the legislature to carefully consider our input as we are working hard to ensure *all* students are properly prepared for college and careers.

The SWSA has registered in opposition to AB1 for the following reasons:

First, Wisconsin already has an accountability system in place that puts our state and students in a very good position moving forward. The SWSA appreciates the time and thought put into legislation passed last April that brings all publicly funded schools and students into a common accountability system. Current law states that all students in publicly funded schools will now (or in the near future) participate in state assessments, the student information system and the state report card system. Why is there a rush to replace an accountability system that has just been put in place?

Secondly, SWSA is opposed to the proposition of having the option to choose from an array of state assessments. The complexity of equating tests diminishes the validity of an accountability system, especially when the results of these tests are used in a high-stakes system. Multiple tests cause greater confusion for stakeholders, especially for those making critical educational decisions for students.

Third, SWSA is opposed to the creation of a regulatory Accountability Review Board that is politically appointed. It is unclear to our organization whether this proposition is constitutional. This is an unelected and unaccountable board which does not include an equitable number of public school representatives.

Terri Phillips
Executive Director

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The Mission of the Southeastern Wisconsin Schools Alliance is to advocate for and inform education policy in support of world class public schools to benefit all students and the economic vitality of the region.

Fourth, the proposed letter grading system runs counter to the recommendations of the committee co-chaired by Governor Walker and State Superintendent Tony Evers. Changing the State Report Card in this way will also cause confusion. The State Report Card has been highly acclaimed by national organizations, and it's unclear why any changes are necessary.

Finally, while we appreciate the opportunity to testify today, we would have been more than happy to participate in the development of this bill along with other stakeholders across the state. SWSA has been in discussions with the senate for over six months and we have found these discussions to be extremely helpful as the senate considers new legislation. It is concerning that this legislation appears to be on the "fast track" without appropriate input from key stakeholders across the state.

We agree that accountability in education is critical. Please resist the urge to push through legislation that will ultimately cause greater confusion and less transparency in an accountability system. Whatever we decide, we must work together to do the right thing for all students in the State of Wisconsin.

SWSA looks forward to participating in discussions of future legislation and revisions.

Respectfully submitted,

Terri Phillips
SWSA Executive Director



LEAGUE OF WOMEN VOTERS® OF
WISCONSIN

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<http://www.lwwwi.org>

January 14, 2015

To: Assembly Committee on Education

Re: Opposition to Assembly Bill 1

The League of Women Voters of Wisconsin supports policies that provide an equitable, quality public education for all children. Indeed, the League recognizes that “quality” and “equality” are inseparable principles in public education.

The League urges you to oppose AB 1, in particular for the following reasons:

- The League believes there should be substantial control of school programs and personnel by the local school district, and a fundamental activity of most of our 17 local Leagues has been to conduct a study of their local school system. AB 1 addresses many complicated matters, and it deserves input from the local elected officials who are responsible for education in their communities. This legislation should certainly not be fast-tracked.
- The League believes that charter school authority should be given only to K-12 public school districts to maintain Wisconsin’s commitment to local control. The proposal to require charter school conversion for underachieving schools is antithetical to the principle of public school improvement. Rather than allow the school to become less accountable, the focus should be on improvement.
- The League opposes any efforts to divert tax dollars from our public schools to private schools. Further, we believe that any institution or organization that receives public funds for K-12 education should be required meet the same requirements as public schools, including:
 - accounting for the use of public funds;
 - meeting performance standards for their students;
 - meeting the same state standards for all school employees.

Studies have failed to show that the voucher system in Milwaukee has provided children a better educational option than they would have received in their public schools. In addition, the Legislative Audit Bureau found last year that most of the vouchers in the recent expansion of the program went to families whose children were already in private schools. Clearly, taking funding from public school budgets – which are already suffering from cuts – and diverting it to private schools that are not publicly accountable and families who do not have children in the public schools is *not* a solution to the challenges our schools and families face.

Thank you.



WISCONSIN BOARD FOR PEOPLE
WITH DEVELOPMENTAL DISABILITIES

January 14, 2015

Assembly Committee on Education
Representative Jeremy Thiesfeldt, Chair
State Capitol, Room 16 West
Madison, WI 53707-7882

Dear Representative Thiesfeldt and Committee Members:

Thank you for the opportunity to provide comment on AB-1.

BPDD is Wisconsin's state Developmental Disability council. Our role is to seek continuous improvement across all systems—education, transportation, health care, employment, etc.—that touch the lives of people with disabilities. Our work requires us to have a long-term vision of public policy that not only sees current systems as they are, but how these systems could be made better for current and future generations of people with disabilities.

Families of children with disabilities in Wisconsin know their children can achieve and learn with their peers with the right instruction and supports. Research clearly shows that 99% of students – including those with disabilities -- can learn grade-level content in the general education curriculum and achieve proficiency on grade level standards with the appropriate supports.

As is the case with all students, education is the foundation that prepares students with disabilities to become contributing members of their communities and a valuable asset to Wisconsin's skilled workforce. Poor educational preparation of students with disabilities translates into a lifetime of high unemployment (63% unemployment rate), lower wages (30% less than workers without disabilities), and reliance on public benefit programs (27% have incomes below the federal poverty line).

A quality education prepares students with disabilities to move with their peers from school into employment within the community. The adequate preparation of our youth—including youth with disabilities—to acquire skills that lead to well-paying jobs begins in schools. Families of students with disabilities want to make the best educational choices for their children, and they need an accountability system that clearly identifies how specific schools perform in preparing their children for adulthood.

BPDD appreciates the bill's inclusion of following elements:

- Delineation of disability status in the data collection.
- Requiring all tests include accommodations or alternative assessments.
- Ensuring scores from alternative math/reading tests taken by students with significant cognitive disabilities are included to measure pupil achievement of all students.
- Including a statutory definition of Children At Risk.
- Direction to the Academic Review Board to create an incentive program for schools to improve outcomes for students with disabilities and children at risk.

Wisconsin Board for People with Developmental Disabilities
101 East Wilson Street, Room 219, Madison, Wisconsin 53703
Voice 608.266.7826 • Toll Free 888.332.1677 • FAX 608.267.3906
Email: bpddhelp@wi-bpdd.org • Website: www.wi-bpdd.org

- Requiring the Academic Review Board to report to the legislature on private school policies that address appropriate accommodations.

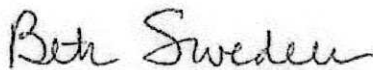
BPDD strongly supports high expectations for all students in all schools. Current language in the bill would allow schools with a student population that serves predominantly or exclusively children at risk, pupils with a disability, or pupils who have other special needs to be allowed to have lower educational expectations and outcomes. No school should get a free pass for students not achieving simply because those students are at risk or have an IEP. Removal of this section is critical make sure students with disabilities are not left behind.

BPDD supports the addition of the following elements to improve school accountability for students with disabilities:

- Add county Children with Disabilities Education Boards under s. 121.135 to the statewide accountability system to adequately capture the performance and outcomes for this population of students with disabilities
- Include a uniform definition for children with disability status that can be applied – as consistently as possible – across all schools to provide adequate and comparable information to parents about student achievement.
- For students with disabilities we specifically recommend adding a focus on postsecondary outcomes to include: rates of enrollment in higher education, enrollment in technical college or apprenticeship programs or competitive employment within one year of leaving high school.
- Collect data about students who are considered completers using other High School Completion Credentials (such as GED, attendance certificate) but have not earned a regular diploma
- Add metrics to collect data on pupils who are suspended or expelled; the reasons for the suspension or expulsion; the length of time for which pupils are expelled; whether pupils return to school after being expelled; the educational programs and services provided to expelled pupils, except for pupils attending a private school under s. 118.60 or 119.23; and the schools attended by pupils who are suspended or expelled.
- Add measures to assess college and workforce readiness.
- Include a notification process for parents, students, and other schools in the event that enforcement of the school accountability process is occurring which may result in the need for students to transition to other schools. This process should also specify a minimum amount of time for parents to assess options and make other educational arrangements, as well as a transition process.

The Wisconsin Board for People with Developmental Disabilities (BPDD) is charged under the federal Developmental Disabilities Assistance and Bill of Rights Act with advocacy, capacity building, and systems change to improve self-determination, independence, productivity, and integration and inclusion in all facets of community life for people with developmental disabilities.

Thank you for your consideration,



Beth Swedeu, Executive Director
Wisconsin Board for People with Developmental Disabilities



Survival Coalition

of Wisconsin Disability Organizations

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Voice: 608/266-7826 Fax: 608/267-3906

January 14, 2015

To: Rep. Jeremy Thiesfeldt, Chair Assembly Committee on Education
Members, Assembly Committee on Education

From: Survival Coalition of Wisconsin Disability Organizations

Re: AB-001 School Review System: Survival Coalition Does Not Support Bill as Drafted

Thank you to Chairman Thiesfeldt and Members of the Assembly Committee on Education for hosting a hearing on this important school accountability bill. This testimony represents the perspectives of members of the Survival Coalition – a statewide coalition of more than 30 disability groups - several of which directly support students with disabilities and their families to advocate for quality special education supports.

First of all, we thank you for your focus on developing an accountability system that incorporates all schools receiving public funding in our state. Parents of children with disabilities require robust information about their child's school in order to make good educational choices and to be part of the system of improvement for their district. No matter where a student with a disability attends, a parent has a lot on the line and often must be significantly more involved in their child's education than the parent of a typically developing child. The outcome of an education for a student with a disability can often mean the difference between a young adult who leaves school with real-world job skills prepared for employment or postsecondary education or someone who will be solely reliant on public benefits, live in poverty or end up in our criminal justice system. **Meaningful accountability for schools and transparent information is a way to empower parents.**

Therefore, we appreciate the attention this bill pays to developing a comprehensive school review system that will disaggregate data by disability status through multiple measures. For parents, seeing how a school specifically is educating students with disabilities is critical. Our only question relative to this is whether the detailed student subgroup performance information will be available to families, in addition to a school's letter grade. We also strongly support measures that address both growth and gap closure in student achievement, as these types of measures allow parents and others to see how subgroups are performing in otherwise high quality schools.

We also appreciate the provisions which require the collection and dissemination of best practices from schools as well as incentives to recognize success, that we believe can be an important step in promoting and replicating statewide the quality inclusive education and youth transition practices that we know lead to better outcomes.

We would also like to share concerns and ideas for improvement in this bill.

Definitions:

Specifically our member organizations tell us parents need consistent information about student performance across schools. An accountability system should be built upon an “apples to apples” comparison and definition of children with disabilities. We recommend that “disability status” be defined in the bill to cross-reference the definition of disability as it currently appears in state statute at 115.76 (5) (a-f) to clearly include a student who has developed either an individualized education program (IEP) or individual service plan (ISP). The term “child with a disability” or “disability status” is used throughout the bill and it will be important for parents to know that all schools include the same type of students in this category. For instance, a student who has a food allergy or other special need that with appropriate accommodation does not impact their daily learning would likely not require or be eligible for an IEP or ISP and should not be included in this category for means of academic achievement comparison.

In addition, if the intent of this bill is to include all schools receiving public funding, it is appropriate to include within the definition of a “school” – a county children with disabilities education board under s. 121.135, in order to capture the performance and outcomes of students in these settings.

Assessments:

We also support the idea that students with disabilities should be taking the same assessments, with the same accommodations availability to allow parents to adequately compare scores across different types of schools. If additional tests are ultimately used, we appreciate the provision in the bill that requires the review board to make recommendations regarding policies for appropriate accommodations on statewide assessments. Although we support the use of a common assessment, as you have recognized in the bill, any criteria for additional approved tests must include a requirement for both the availability of an alternate assessment for students with significant cognitive disabilities and testing accommodations for any student with a disability that requires that as part of their IEP or ISP.

Academic Review Board:

This board gives a significant amount of authority to an appointed academic review board whose education expertise is not articulated. We strongly advocate that any review board making these critical accountability decisions must include someone with specific expertise related directly to students with disabilities. Only with this expertise can such a board make sufficient decisions about testing accommodations, appropriate tests for approval and performance level and sanctions for any given school.

Review System:

We are very concerned about the provision in the review system at Section 9. (5) (c) that creates a separate system for students with disabilities who may be overrepresented in a school or who attend a separate school. This provision is surprising in that it seems to send a message that the same high accountability standards are not appropriate for our youth with disabilities. We would suggest just the opposite. We should be paying more attention to the performance of these students and whether their education in whatever school setting is leading to college and workforce readiness. We strongly advocate that this section be removed, perhaps assigning the review board the duty of determining how to address and monitor the needs of students with disabilities and children at risk so they achieve content knowledge and core social competencies expected for students without disabilities after leaving school.

We also suggest that the review system must recognize and include workforce readiness measures. Public schools already must report on something called Indicator 14 – which tells them where students with disabilities are one year after graduation. It is a stark wake-up call to look at this data and see how many students are sitting at home doing nothing. Previous drafts of school accountability in the 2013 Legislature (SB 286) did include workforce readiness measures. We welcome the opportunity to work with this committee to determine appropriate workforce readiness measures for our students with disabilities.

Another measure we would like to see included within the review rating for schools is one related to the number of pupil suspensions and expulsions, disaggregated by disability status. Parents of children with disabilities will tell you this information is critical to their own review as to whether a school is adequately meeting the needs of students with disabilities.

Overall our coalition is not supportive of the change from the current accountability system to a system based on letter grades. Coalition members who participated in the Governors' School & District Accountability Design Team indicated that discussion of school ratings, including the benefit of assigning letter grades vs. number ratings, took a full day. In the end, the stakeholders on the Team decided not to proceed with letter grades, believing it did not provide an accurate picture of school performance and would not adequately facilitate school improvement.

Sanctions:

In the sanctions section of the bill it appears current students in the parental choice program would be allowed to stay in the program even though the school would not participate in any improvement plan. We strongly advocate that the bill include various parent notification requirements throughout this section. As you might suspect, changing schools for any student, but particularly a student with a disability and their family, can be an extremely disruptive process. Parents require timely information about when their school is under any type of sanction and when it might be required to make a significant change, withdraw from the parental choice program, stop accepting payments or students.

The sections that require that a school be reformed into a charter school are concerning and need intense review. In June 2014 the Survival Coalition sent a letter to the Department of Public Instruction, asking about the ability of Wisconsin's current charter schools to serve students with disabilities. Recently both the federal Office of Civil Rights and various states have shared concerns about discrimination against students with disabilities in charter schools. In our letter to DPI we referenced questions raised in a May 2014 Economic Policy Institute Report that outlined stark differences in special education enrollment in charter and public schools in Milwaukee. Preliminary charter school enrollment data from DPI shows that in 2012-13, 20.2% of MPS students received special education services while Milwaukee 2R charter schools served just 10.6% - or almost half the percentage with special education needs. Both the share of students with autism and the share of students with emotional behavioral disabilities are 1.5 times higher in MPS than in Milwaukee charters and the share of students with cognitive disabilities is 7 times higher in MPS than in Milwaukee's 2R charters. There is also a noted discrepancy in both discipline and expulsion rates for students with disabilities between public schools and the 2R charters.

Building a robust and accountable charter system that serves students with disabilities fairly will be challenging. We suggest that at a minimum "takeover" charter schools must admit and serve the same population as the school they've taken over -- same admission, same expulsion standards in order to ensure fairness and non-discrimination.

Thank you in advance for addressing the concerns outlined in this testimony. Our Coalition members are ready to provide support and feedback as you continue this process.

This document prepared by the Survival Coalition Education Issue Team.

Survival Co-Chairs:

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January 14, 2015

To: Rep. Jeremy Thiesfeldt, Chair Assembly Committee on Education
Members, Assembly Committee on Education

From: Disability Rights Wisconsin - Lisa Pugh, Public Policy Director

Re: AB-001 School Review System: Disability Rights Wisconsin Does Not Support Bill as Drafted

Thank you to Members of the Assembly Committee on Education for hosting a hearing on this important school accountability bill and to Chairman Thiesfeldt for meeting with our organization to hear concerns and recommendations prior to bill introduction. We appreciate your interest in developing a strong accountability system that includes and supports the achievement of students with disabilities.

Disability Rights Wisconsin is the state's Protection and Advocacy agency, charged with ensuring the rights of individuals with disabilities, including students and their parents. We often support parents to achieve a quality education for their children and challenge districts and the state to change or update policies. This testimony represents our experiences with parents of children with disabilities statewide.

There are several main elements of an accountability proposal that are important to families of children with disabilities:

- An accountability system that is built upon an "apples to apples" comparison of children with disabilities. Students should be taking the same assessments, with the same accommodations availability to allow parents to adequately compare scores across different types of schools.
- Students with disabilities should be identified with a common definition across all schools.
- Robust multiple measures of accountability must include growth, gap closure and achievement disaggregated specifically to identify the performance of the subgroup of students with disabilities.
- The system should incorporate all schools that receive public funds.
- The system must include and specifically reference all students, including those with significant cognitive disabilities taking the alternate reading and mathematics examinations administered under s. 118.30.
- Accountability measures should address measures of college and workforce readiness and information related to high school graduates entering the workforce.
- Accountability measures should include information on the number of pupils who are suspended or expelled.
- Transparent reporting of school performance should include a required posting on a school's website to allow parents easy access to information on the performance of students with disabilities.

AB 1 addresses some, but not all of these important elements of accountability. We thank you specifically for ensuring that data about growth and achievement is disaggregated by disability status. We support the discussion of appropriate testing accommodations for students with disabilities and the inclusion of students with the most significant disabilities within the system. We also believe provisions that provide

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incentives to schools that are seeing good student outcomes are promising. We have concerns about other sections of the bill and we provide line by line recommendations for improvement below.

In summary, we believe the bill requires:

- Addition of a common definition of disability under state and federal statutes.
- Addition of college and career readiness measurements.
- Inclusion of suspension and expulsion rates in areas of measurement.
- Elimination of the section that allows rating schools that serve predominately students with disabilities under a separate system, thus eliminating them from accountability.
- Stronger discussion and review prior to expanding a charter school system when data shows charters in Wisconsin are currently not serving students with disabilities well. (See data sheet.)
- Addition to the board of at least one person with knowledge specifically related to disability and addition of a parent.
- Use of a uniform test so that allows parents to compare schools appropriately.
- Inclusion of all publicly funded schools; including county children with disabilities education boards.
- Parent notification requirements when a school will be reformed or will no longer accept payments or students.

We suggest the following specific language changes:

Academic Review Board

Pg. 6-7 add the following:

- Superintendent of a public school district
- One principal of a public, charter and private school
- One individual with training and experience to work with and experience working with pupils with disabilities nominated by the state superintendent.
- One special education director nominated by the state superintendent.
- One parent nominated by the state superintendent.

Educational Options

Pg. 8 line 11 change to read after 18 years old...or a student who is in school from ages 18-21 years old who reside in the school district.

Alternative Tests

Pg. 8 line 16-17 Delete Alternatives Tests (and additional bill references to the use of alternative tests)

Definitions

Pg. 9 add before line 1 "Child with a disability" as defined in a. 115.76 (5) (a-f) for whom an individualized education program or a service plan is in effect.

Pg. 9 line 13 – add a county children with disabilities education board under s. 121.135.

Review System; Evaluation and Grades

Pg. 10 add after line 2 Career and College Readiness for high school pupils and tracking for career and college readiness for pupil in elementary grades.

Pg. 10 add after line 7 Rates of suspension and expulsion.

Pg. 10 delete from line 4 "when available"

Pg. 10 line 5 - show rates of attendance and high school graduation in separate lines.

Pg. 10 lines 20-24 Add in language to explain the grades A- Significantly exceeds expectations, B- exceed expectation, C- meet expectations, D- meets few expectations, F- fails to meet expectations.

Pg. 12 Line 18 Add (disability status) as defined under Wis. 115.76 (5) (a-f)

Pg. 14 Lines 8-25 Delete this entire section as it eliminates schools that serves predominately disaggregated groups to be measured under an entirely different system.

Sanctions

Pg. 15 – Include in this section required parent notifications when schools are under sanction or will no longer accept students or payments.

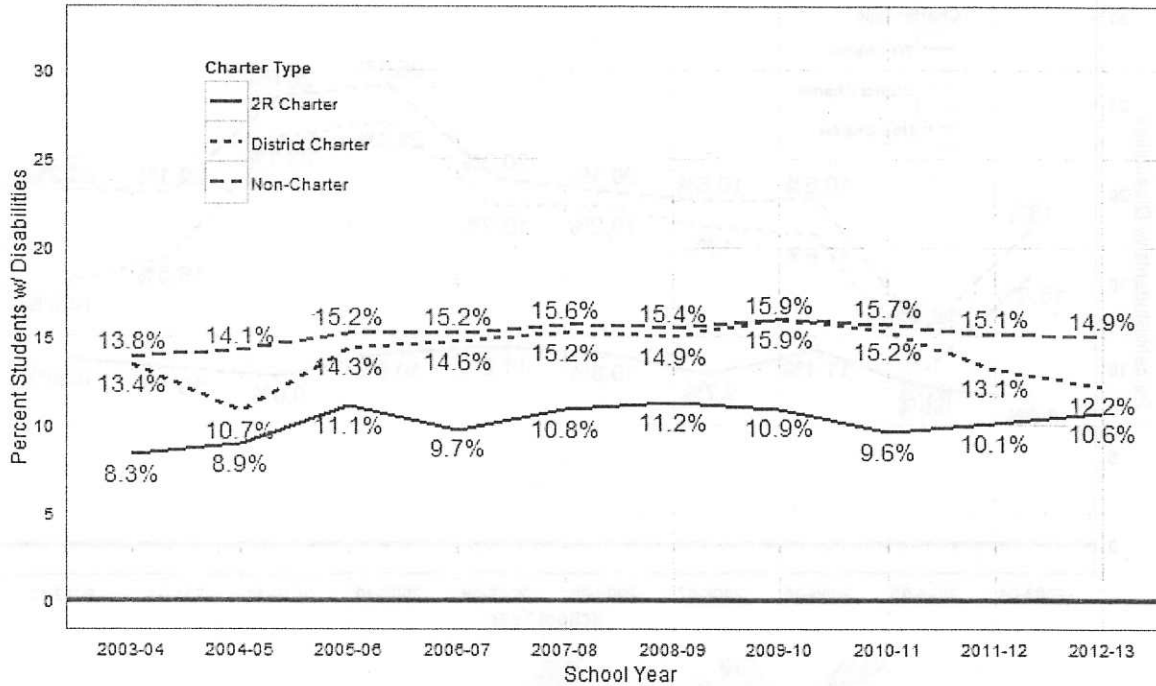
Pg. 19 Line 7 delete language (and additional bill references) that relates to converting a public school to a charter school.

Again, thank you for the opportunity to provide input on this bill. Please continue to look to our organization as a resource.

(1) Disability Percentages and Charter Type - Statewide

Wisconsin Disability Percentage

by Non-Charter, District Charter, and 2R Charter

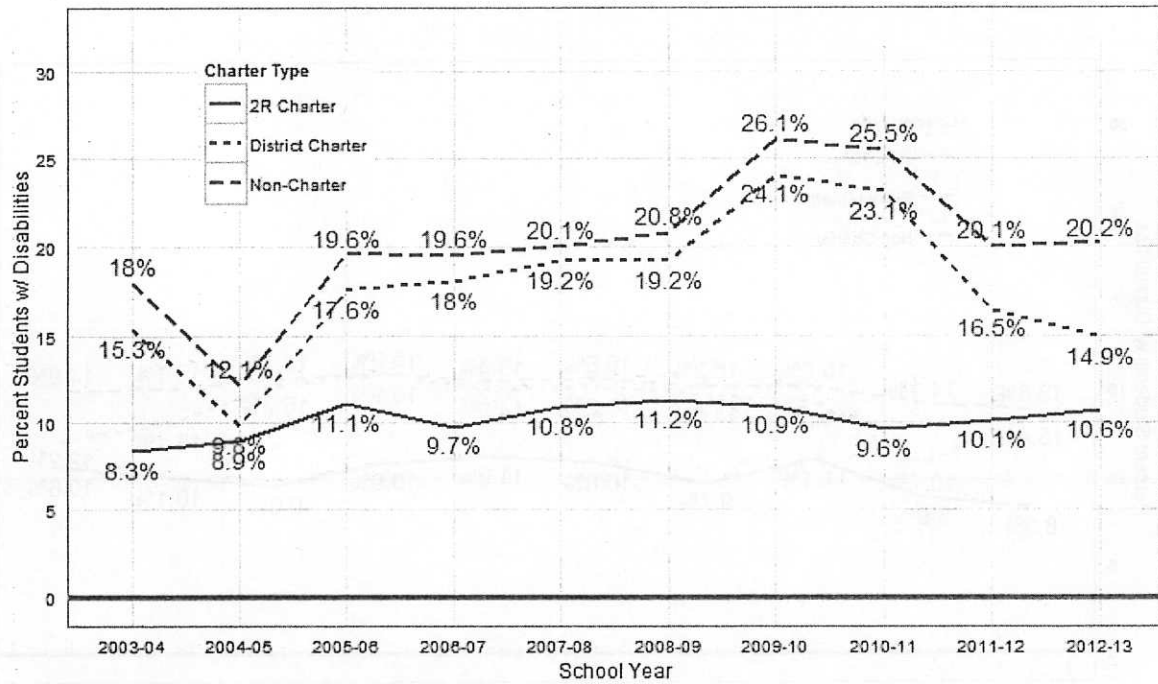


	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13
2R Charter	8.3%	8.8%	11.1%	9.7%	10.8%	11.2%	10.9%	9.6%	10.1%	10.6%
Non-Charter	13.8%	14.1%	15.2%	15.2%	15.6%	15.4%	15.9%	15.7%	15.1%	14.9%
Public Charter	13.4%	10.7%	14.3%	14.6%	15.2%	14.9%	15.9%	15.2%	13.1%	12.2%

(2) Disability Percentages and Charter Type – Milwaukee

Milwaukee Disability Percentage

by Non-Charter, District Charter, and 2R Charter



TO: Members, Assembly Education Committee
FROM: Scot Ross, Executive Director One Wisconsin Now
DATE: January 14, 2015
RE: Testimony in opposition to 2015 Assembly Bill 1

Rep. Thiesfeldt and members of the Assembly Education Committee, on behalf of the 75,000 plus online supporters of One Wisconsin Now, thank you for the opportunity to offer my testimony in opposition to Assembly Bill 1 (AB 1).

This bill does not provide real accountability standards for all the schools in Wisconsin receiving public tax dollars. Instead it is a stacked deck for the special interests behind the taxpayer financed private school voucher program.

Look no further for evidence of this than the Academic Review Board (ARB) created in AB 1. This unelected board usurps the authority of the statewide elected Superintendent of Public Instruction to develop standards for schools and impose sanctions on those that fail to meet them.

The deck-stacking doesn't stop there.

AB 1 also guarantees a majority for pro-voucher, pro-privatization advocates on the 13-member ARB with appointees mandated by law. Private voucher schools are even let off the hook on testing by allowing them to give their students different tests than public school students.

Just as important as what is in the bill is what is not.

It seems like common sense to require the people entrusted with educating the children at private voucher schools receiving tax dollars are qualified, licensed professionals. After all, that's what the law currently requires of our public schools. That's not currently the case for voucher schools, and that's not a provision included in AB 1.

We can all see what's going on here.

School privatization has long been a goal of wealthy right-wing ideologues from Wisconsin and across the country, and taking away our control over our public schools has been in the crosshairs of their efforts.

One Wisconsin Now earlier revealed the \$31 million plus propaganda campaign to attack public schools and promote private school vouchers orchestrated by Gov. Walker's campaign co-chair Michael Grebe and his Milwaukee based Bradley Foundation.

We've seen the American Federation for Children, overseen by disgraced former Assembly Speaker Scott Jensen, spend at least \$4.5 million to elect pro-voucher candidates since 2010, including nearly \$1 million in 2014 Assembly races alone.

And out-of-state millionaires and billionaires, including heirs to the Wal-Mart and Amway fortunes, consistently make large campaign contributions directly to voucher friendly elected officials.

Setting expectations for the quality of education our kids receive in the schools we pay for is important. It is reasonable to expect consequences if the expectations are not met.

But that's not what this current proposal from Republicans is intended to do, and that's why this special interest payoff doesn't deserve to become law.

Thank you.

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Racine Education Association

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**TESTIMONY ON ASSEMBLY BILL 1
BEFORE THE WISCONSIN STATE ASSEMBLY
COMMITTEE ON EDUCATION
Wednesday, January 14, 2015**

Good morning. I am Jennifer Levie, President of the Racine Education Association, an affiliate of the Wisconsin Education Association Council and the National Education Association. The REA, as we are known, is the union representing 1600+ certified classroom teachers and other certified education professionals who work in our school district.

Because this bill appears to have been developed behind closed doors with no input from the public school community, I am testifying today to help make the voices of thousands of public educators heard.

The alleged purpose of the bill is to identify struggling schools and set forth a series of actions to help improve them. But in fact, the schools designated as failing will be subject to a series of sanctions and punishments that will in no way help them improve the lives of their students. Woefully missing from the legislation are any state resources to help the schools improve. Ultimately, as a result of this bill, communities will be forced to hand over control of their public schools to charter schools run by private operators.

Assembly Bill 1 puts the future of our neighborhood public schools in grave jeopardy while favoring unaccountable private voucher schools. Our children deserve a thoughtful, deliberative, inclusive approach to improving schools for all children, not backdoor attempts to hand over control to private operators.

I wish to make four points about what is wrong with the thinking behind this bill:

1. Schools with low test scores are not "failing" schools.

AB 1 requires new school report cards that would give letter grades to schools (A through F), labeling many good schools that teach disadvantaged children as "failing". Currently, about 135 schools in many different communities around Wisconsin would be given "D" or "F" grades. In fact, very good schools can have students who get low test scores if they teach children from disadvantaged backgrounds. Two recent research reports by The Forward Institute show convincingly that the VAST majority of the difference identified between Wisconsin schools in the current school report cards are determined by two factors: socioeconomic status of the students and attendance rates.

Racine Education Association

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2. AB 1 is a smoke screen to protect and cover the continued failure of many voucher schools.

The bill allows voucher schools to choose alternative tests to the state tests that the federal government requires public schools to administer. This amounts to blindfolding the public so that they cannot see the low quality of private voucher schools in comparison with public schools.

For the first 20 years of their existence, voucher school students in Milwaukee did not take the same state mandated tests that public school children take. This enabled voucher advocates to repeat their false advertising that voucher schools would somehow improve schools for Milwaukee children. After many years, when voucher students were finally required to take the same tests as public school students, the results showed that voucher schools perform worse than comparable public schools even though they can pick and choose which students they admit and retain. AB 1 is an effort to once again hide these facts.

3. Privately run charter schools are not a solution.

Under AB 1, schools labeled as "D" or "F" will ultimately be taken away from the community and handed over to private charter school operators. There is NO research basis to believe such a handover will improve schools for disadvantaged students and ample evidence showing the opposite.

Perhaps the largest series of studies systematically comparing the performance of privately run charter schools with public schools is run by the Center for Research on Educational Outcomes (CREDO) hosted at the conservative Hoover Institute. Previous reports have shown that far more public schools outperform matched charter schools than the other way around. A new report on privately run charter schools in Ohio has shown definitively that public school students learn more. Also, significant reports by Pro Publica have shown widespread mismanagement of public money by private charter operators which frequently have board members who profit off of school purchasing and hiring decisions.

4) Expansion of privately run charters will drain money from public schools.

Privately run charter schools in Wisconsin (currently only existing in Milwaukee) get "first draw" on state aid money for schools. An increase in the number of privately run charter schools will result in less state aid for public schools. Local public school districts will either have to raise property taxes (if permitted by the state) or cut educational programming.

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**5) We—the educators of Wisconsin-- know how to improve education for struggling students.
AB 1 does not even come close.**

There are no silver bullets, but based on ample research we know many measures that will help students in schools who get low test scores, including:

- smaller class sizes and more individual attention;
- extra instructional time after school and during the summer;
- wrap around services to make sure children are healthy and have proper nutrition;
- highly educated and experienced teachers; and
- high quality early childhood education so that children are well prepared to begin their K12 education.

These measures require investment in our communities' schools, as do world class schools in general. Mandating the labeling of schools as "failing" and forcing communities to hand over control of their schools to private operators diverts attention from what we really need to do.

I urge you to reject Assembly Bill 1.

Thank you.

AB 1 2015 Public Hearing - "Accountability Bill" on Wed, Jan 14, 10AM in Rm 417 North (Gar Hall).

Thank you for holding this Hearing that we might express our concerns about AB1.

I have two pre-school grandchildren living in WI. After reading about AB1 I am extremely worried about their education. Will their teachers even be licensed to teach? If not licensed, then even prepared or equipped? Will their parents have a locally elected school board to hear their concerns?

Or will their teachers be contracted through Teach for America, where a teacher's license is not required? Do we really want people who merely have, perhaps, "good intentions" to teach our children? We know where "good intentions" lead.

Additionally, Teach for America staff rarely stay in a location longer than 2 or 3 years – according to their own records. Currently, public school teachers invest time and dedicate energy in their classrooms on behalf of our children, as well as in their respective communities.

This benefits the public good...when they are residents that shop local & pay taxes.

They also have vested interest in good schools – because their children often attend too.

Besides, Public schools are the heart of our communities, especially in our rural areas.

Surprisingly, the party that touts and demands smaller government is now willing to add more government by adding an Academic Review Board (ARB).

This ARB has potential to be highly partisan by design. On this board it is very possible that only **one** person will be democratically elected & that only **two** persons on the board will have experience in a **public** school. We could have schools-for-profit out numbering public schools in both voice & vote, even though the majority of students are enrolled in & taught at public schools.

Locally elected school boards could be made virtually null and void. So much for democracy...& the Voice of the People being heard, honored and valued.

AB1 is moving our education system and philosophy in the wrong direction. Everything in this bill points to fast tracking school privatization ~ and de-constructing our local, once cutting-edge, superior school system and Districts.

As reported in the Journal-Sentinel (Jan 2, 2015), Sen. Alberta Darling has already consulted stakeholders in forming a recovery or state-run school district for Milwaukee...such as New Orleans did

~ just **months** after hurricane Katrina. Now, almost a decade later, New Orleans is the nation's **first** totally for-profit school district. However, New Orleans' Recovery School District has nothing to brag about. In 2011 the state started issuing letter grades...and all of the state-run [RSD] Recovery School District schools received a "D" or "F."

In 2014, RSD-New Orleans performed below the state's average for grade 4 & 8. How bad must that be? Surely, you don't want this scenario for our Wisconsin children and students!

Instead of providing resources to help the poor rural and urban schools, you continue to hold students, teachers & schools responsible for not overcoming the obstacles that poverty & hunger presents in the school setting ~ whether they be in the inner city, some suburbs, or our rural communities.

Furthermore, with so much attention given to education by the legislature you'd think our schools must be in really bad shape! However, recent data released by the Nat'l Center for Education Statistics says otherwise. Besides, WI is #2 in ACT test scores in the country (we had been #1 for 10 years) so how "failing" are our WI schools?

It seems to me, our Public School Districts, teachers, parents and students are out-performing all the Republican rationalizations and so-called 'evidence' that says otherwise. You see, I am suspicious of your desire for and urgency to legislate our children's education and future with AB1.

So, Please stop trying to reform poverty-stricken students by using high-stakes testing and by creating for-profit schools and funding them with our tax dollars. I believe our system can be re-constructed with best-policies of public instruction and fair-funding, while a system of private schools can be available for the few students that might benefit and can afford them. In fact, we can't afford any Legislation, like AB1, that has the effect of de-constructing our public schools. Thank you for listening to my concerns.

Christopher Miller, 311 B School Street, La Valle, WI 53941 608-415-8633

AB1 - 1/14/14

Although notice was short and in direct conflict with another important public session, thank you for this opportunity to speak. Although your Chairman stated, just this past weekend, that the people want this "reform", I do not, and if I may take the liberty, many others do not either.

When my family sojourned back to Wisconsin 34 years ago, we knew this great state. Sadly she's changed greatly. The great Progressive movement of Republicans Roosevelt, Taft and our own Fighting Bob La Follett has fallen on hard times.

Under the leadership of our "Divide and Conquer" Governor, we now tear down our proud heritage and institutions. Just last evening, our "Divide and Conquer" Governor attacked Common Core, the M.O. is the standard, start a campaign of falsehood and then trot out a scapegoat to skewer with hatred. The majority party has done this repeatedly, i.e.

- Voter ID
- Environment
- World class UW
- GAB
- Public workers
- Public Education

The majority now proposes a new Education Board that will usurp the rights of local control. Imagine this picture; if Don Pridemore had been elected Superintendent of Education, rather than Tony Evers, with Republicans in control of the legislature, 12 of the 13 seats on this proposed board could be in partisan hands. Partisanship should NOT play **any** role in our children's education. Would you "common sense" republicans in the audience like it if the number was reversed? if Democrats were in total control of YOUR child's education, completely changing the system without your impute or representation?

Please straighten your backbones and say no to the voucher school donors, greet your former assembly leaders, now voucher lobbyists and politely say no, "We work for the people". Please don't give in to the Voucher Profiteers and Science Deniers.

John Dietz (608-393-1641)

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Rock Springs WI 53961

January 14, 2015

Dear Elected Representatives,

I do not know AB1 well, but what I do know is a source of concern. Among my concerns:

My understanding of voucher schools was that they were originally designed to be a source of experimentation, to discover what works well in neighborhoods where public schools were inadequate to meet the needs of its student population. They were not meant to be a taxpayer give away to privately run companies.

What has been the outcome of the voucher schools? What are their successes? Has there been an effort to incorporate the successful models into the struggling public schools?

Presently locally elected school boards oversee the public schools. The public elects those representatives. Bill AB1 would take the power of local control out of the hands of the public and place control in an appointed board, not elected, which does not meet monthly as the local school boards do.

Bill AB 1 says that if public schools fail they automatically become privately run voucher schools. If the private, voucher schools fail, they can't take any new students. Why is "failure" treated differently? If public schools fail, they should be prevented from taking any new students, or if private, voucher schools fail, they should automatically become public schools.

If a school becomes a private, voucher school, who is responsible for the building maintenance? Who owns the building? The grounds?

I am not a teacher, nor do I have teachers in my family. I am a Wisconsin citizen concerned about the adverse consequences of this piece of legislation.

Mary Trainor



West Middleton El | Middleton-Cross Plains Area

School Report Card | 2013-14 | Summary

Overall Accountability Score and Rating



Significantly Exceeds Expectations

Overall Accountability Ratings	Score
Significantly Exceeds Expectations	83-100
Exceeds Expectations	73-82.9
Meets Expectations	63-72.9
Meets Few Expectations	53-62.9
Fails to Meet Expectations	0-52.9

Priority Areas

Student Achievement

	School Score	Max Score	K-5 State	K-5 Max
Student Achievement	88.3/100		66.8/100	
Reading Achievement	38.6/50		28.8/50	
Mathematics Achievement	49.8/50		38.1/50	

Student Growth

	School Score	Max Score	K-5 State	K-5 Max
Student Growth	81.3/100		67.8/100	
Reading Growth	37.6/50		34.2/50	
Mathematics Growth	43.7/50		33.6/50	

Closing Gaps

	School Score	Max Score	K-5 State	K-5 Max
Closing Gaps	73.2/100		66.9/100	
Reading Achievement Gaps	36.7/50		34.0/50	
Mathematics Achievement Gaps	36.5/50		32.9/50	
Graduation Rate Gaps	NA/NA		NA/NA	

On-Track and Postsecondary Readiness

	School Score	Max Score	K-5 State	K-5 Max
On-Track and Postsecondary Readiness	89.9/100		86.9/100	
Graduation Rate (when available)	NA/NA		NA/NA	
Attendance Rate (when graduation not available)	74.5/80		75.4/80	
3rd Grade Reading Achievement	15.4/20		11.5/20	
8th Grade Mathematics Achievement	NA/NA		NA/NA	
ACT Participation and Performance	NA/NA		NA/NA	

Student Engagement Indicators

Indicator	Goal	Result
Test Participation Lowest Group Rate	goal ≥95%	Goal met: no deduction
Absenteeism Rate	goal <13%	Goal met: no deduction
Dropout Rate	goal <6%	Goal met: no deduction

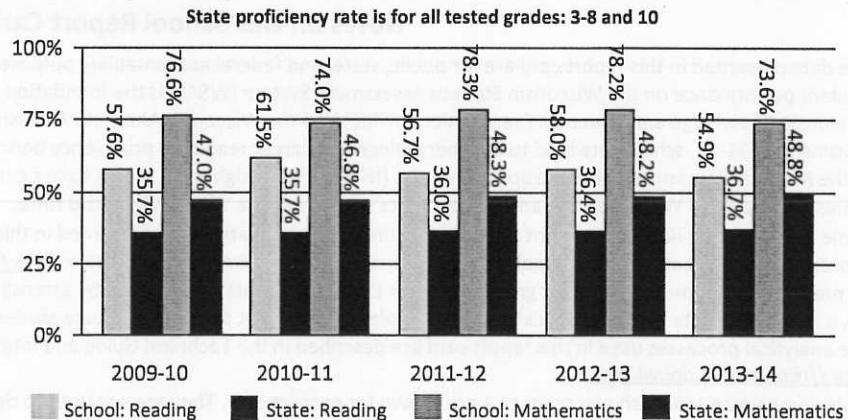
Total Deductions: 0

School Information

Grades	PK-5
School Type	Elementary School
Enrollment	468
<i>Race/Ethnicity</i>	
American Indian or Alaska Native	0.2%
Asian or Pacific Islander	7.5%
Black not Hispanic	10.9%
Hispanic	10.0%
White not Hispanic	71.4%
<i>Student Groups</i>	
Students with Disabilities	10.5%
Economically Disadvantaged	18.8%
Limited English Proficient	8.3%

Wisconsin Student Assessment System Percent Proficient and Advanced

Includes Wisconsin Knowledge and Concepts Examination (WKCE) and Wisconsin Alternate Assessment for Students with Disabilities (WAA-SWD). WKCE college and career readiness benchmarks based on National Assessment of Educational Progress.



Notes: Overall Accountability Score is an average of Priority Area Scores, minus Student Engagement Indicator deductions. The average is weighted differently for schools that cannot be measured with all Priority Area Scores, to ensure that the Overall Accountability Score can be compared fairly for all schools. Accountability Ratings do not apply to Priority Area Scores. Details can be found at <http://reportcards.dpi.wi.gov/>.



West Middleton EI | Middleton-Cross Plains Area School Report Card | 2013-14 | Notes

Priority Areas

- **Student Achievement** measures the level of knowledge and skills among students in the school, compared to state and national standards. It includes a composite of reading and mathematics performance by the "all students" group in the Wisconsin Student Assessment System (WSAS) for all tested grades in the school.
- **Student Growth** describes how much student knowledge of reading and mathematics in the school changes from year to year. It uses a point system that gives positive credit for students progressing toward higher performance levels, and negative credit for students declining below proficiency.
- **Closing Gaps** provides a measure that reflects the statewide goal of having all students improve, while narrowing the achievement and graduation gaps between groups of students. This measure acknowledges districts that raise the performance of traditionally lagging student groups, contributing to the closure of statewide gaps.
- **On-Track and Postsecondary Readiness** indicates the success of students in the district in achieving educational milestones that predict postsecondary success. It includes the graduation rate and the attendance rate, as applicable to the district. It also includes measures of third-grade reading and eighth-grade mathematics achievement, and ACT participation and performance, as applicable to the district.

Student Engagement Indicators

Student Engagement Indicators are measures outside the four Priority Areas that affect student success or the soundness of the report card. Each indicator has a goal, and schools that fail to meet that goal receive a point deduction from their Overall Accountability Score. Goals were set by looking at statewide data and establishing thresholds that identify schools contributing the most to lowering Wisconsin's overall performance in the areas below.

- **Test Participation Rate:** Every school has a goal of 95% participation in the Wisconsin Student Assessment System (WSAS). The school's performance is measured by the participation rate of the lowest-participating student group. If this rate is less than 95%, but at least 85%, five points are deducted from the school's overall score; if this rate is less than 85%, 10 points are deducted.
- **Absenteeism Rate:** This indicator describes the proportion of students in the school who attend school less than 84.1% of the time. If the absenteeism rate in the school is 13% or more, five points are deducted. The absenteeism rate is different from the attendance rate because it measures students who are absent from school a certain amount of time, not how often students are present in school.
- **Dropout Rate:** The goal for all middle and high schools is to have a dropout rate of less than 6%. A school not meeting the goal has five points deducted from its score. Note that dropout rate is not the opposite of graduation rate. A dropout rate includes any student who leaves school in grades 7-12 without expecting to earn a high school diploma, while a graduation rate counts students who earn a high school diploma within a certain time (four or six years) after starting ninth grade.

Notes on this School Report Card


- The data presented in this report card are for public, state, and federal accountability purposes.
- Student performance on the Wisconsin Student Assessment System (WSAS) is the foundation of this report. WSAS data include results for both the Wisconsin Knowledge and Concepts Examination (WKCE) and the Wisconsin Alternate Assessment for Students with Disabilities (WAA-SwD).
- Starting in 2011-12, schools are held to a higher college and career readiness proficiency benchmark by aligning the cut scores of the WKCE to those of the National Assessment of Educational Progress (NAEP). These higher cut scores have been retroactively applied to show trends. The higher cut scores only apply to WKCE Reading and Mathematics scores, not the WAA-SwD, at this time.
- Some supplemental data that are not used for accountability calculations are presented in this report card for informational purposes in order to provide context. Additional data on student performance are available here: <http://wisedash.dpi.wi.gov/>.
- To protect student privacy, data for groups of fewer than 20 students are replaced by asterisks on public report cards.
- NA is used when data are Not Applicable. For example, a school that does not graduate students will have NA listed for graduation results.
- The analytical processes used in this report card are described in the Technical Guide and Interpretive Guide: <http://reportcards.dpi.wi.gov/>.
- State comparison scores shown on page 1 are shown for context only. They are not used to determine this school's score or rating.

January 14th, 2015

Dear Assembly Committee on Education and Chair Jeremy Thiesfeldt,

My name is Maria Lopez Garcia. I came from Appleton, Wisconsin to talk to you today. I am the parent of a fourth grader in an Appleton charter school, the Appleton Bilingual School, where they teach the common core in English and in Spanish and students are to emerge fully bilingual by the time they reach 5th grade. I am also a board member of the school, and I am also a scientist in the multinational corporation, Kimberly Clark. As you can imagine with my educational background which includes a doctorate degree from UW - Madison, an excellent education for my son is very important to me.

I believe in school accountability. I believe that schools and teachers should do everything in their hands to educate our children and give them the tools to succeed and have an active role in the progress of our society; and I believe that we should make sure that the schools and teachers are doing everything they can. However, what is being proposed in the school accountability bill AB1 today is concerning me. The reason for my concern is that schools like Appleton Bilingual School will be graded upon a very narrow set of criteria which is reading and math, when in truth the overall school experience is much more than that. There are many other topics taught in school, there is science and art and social studies, to name a few. In addition, we need to consider the learning philosophies of the different schools in the state. For Appleton Bilingual School, a test in math and reading that is administered in English is bound not to reflect the true learning of the students which is what we have found recently in the Wisconsin Knowledge and Concepts Examination. ABS got a "meets few expectations" score when we have other nationally approved testing for bilingual schools that prove that our students' scores are above average in reading and math. This is problematic because when a community member reads about our scores in the paper, they will get a completely erroneous message about the performance of the school. All based on an examination that was not applicable to the schools learning model and unfairly administered to the students. That is why, if there is going to be school accountability reform, I want to be sure that the appropriate stakeholders are involved so that the proper evaluation methods are designed to accurately determine the efficacy and the impact of our schools. Thank you.



Maria Lopez Garcia Ph. D.

Scientist – Kimberly Clark Corporation

Board member – Appleton Bilingual School

January 14, 2015
State Capitol Building
Madison, WI

I am here before you to raise my concerns on AB 1. As this legislation has been proposed, it is deeply flawed. It is filled with loopholes and conflicts of interest.

Taking public assets from local school boards and handing them over to private investors, and then continuing to send taxpayer money to these unaccountable private operators is TAXATION WITHOUT REPRESENTATION.

We elect local school boards to watch over our public school investments. We cannot trust an out-of-state corporation to put the kids before profits. AB 1 sets up a fundamental conflict of interest, and leaves the taxpayer wide open to financial abuse.

Currently we can see what is wrong with public schools because there is such intense public scrutiny on a local level. As the Legislature has designed it, there will not be this level of disclosure with private operators under the provisions of AB 1. What are you trying to hide?

The makeup of the Supreme School Board is also suspect. The majority of the board members will have business interests in converting public schools into private profit centers. This is not good public policy.

The bill also does not require all schools (public and private) to take the same test for determining success or failure. Again, what are you trying to hide?

At a time of a massive long term debt and another possible budget deficit, why is another bill being rushed through that allows more public assets to be transferred to unaccountable private interests? Did you learn anything from WEDEC debacle?

AB 1 ^{the} "School Accountability" bill is an Orwellian name for a bill that strips accountability from our schools and clears a wide space at the public trough for a new group whose mission is to maximize profit for a few at the expense of taxpayers and students.

Taxpayers deserve better from you. What concrete steps are you going to take to fix this and put real accountability in this bill?

STOP TREADING ON US.

Sincerely,

Keith Kohlmann
Racine, WI

Angelina Cruz
815 8th St, Apt 311
Racine, WI 53403
angelinacruz@gmail.com
262-664-1818

AB 1 – Public Testimony

Thank you for the opportunity to speak today. And I would like to thank you all for dedicating your work to public service. I do the same. My name is Angelina Cruz and I am a public school teacher. For ten years, I taught 5th grade in the Racine Unified School District. This would have been my eleventh year, except that 5 months ago I suffered a Traumatic Brain Injury. So presently I am on disability, working to get my physical and emotional issues in order.

You may be wondering what would compel someone such as myself to find a way to Madison today to speak before you. Frankly, I should not even be alive. I shouldn't be able to do this today. And that's just it. I've been told over and over by some of the best doctors that my being alive is a miracle. So I feel very strongly that I must continue to use the voice that I have been blessed with to speak for my students and their families.

My first week out of the hospital was the first week of the school year. This was extraordinarily difficult for me. I've always taken what I do very seriously. These past five months I have been working very hard to get back to it. I receive e-mails from former students on a daily basis. I have had the opportunity to visit the school I was at for ten years. I miss it. I miss my kids. And I sit before you concerned that the place I love being most in this world, working with these kids, public schools, will not exist very soon.

I have a degree in educational policy so I like to think that I am pretty well versed in the history of public schools and how to move our schools forward successfully. So I am looking for answers to some questions:

- How will voucher and privately run charter schools be held accountable? I'm not a statistician, but it seems to me that allowing charter and voucher schools to take different tests than public schools makes comparison and accountability unrealistic.
- How does privatizing, or abandoning, public schools deemed "failures" ensure positive results when studies have shown that these schools do not perform any better than our existing public schools?
- To whom will these privatized schools be held accountable? It seems as though this bill would remove local control of our schools. Presently, if a parent has an issue with a teacher or an administrator, they have the freedom to approach the local school board to redress their grievances. Passage of this bill seems to completely eliminate this as a possibility. Please explain to me how this is not a divestment in our communities.
- What protections are in place for our special education students and English language learners under this bill? Private schools are not required under law

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to provide these services, whereas public schools must. Furthermore, private schools have the freedom to deny access to students that require services that they do not provide.

Please don't get me wrong. I have no problems with private schools. I am a product of parochial schooling, grades K-12, because my parents thought it important that I have a religious upbringing. What this religious upbringing taught me is that our world is filled with beautiful diversity that must be embraced. We must love each other and support each other. And I fear that this bill does nothing toward that effort for those most in need.

Wisconsin once had the finest public school system in the country. Yet here we are on the precipice of losing it all. If you are truly looking for ways to move our great state forward, and I believe that you are, please consider addressing issues related to poverty. Think about requiring smaller class sizes so that students receive more individualized attention. Please consider the provision of wrap around services so that children have adequate nutrition. Please ensure that schools are staffed with highly educated and experienced teachers. Consider raising the minimum wage to a living wage, so that parents have the means to provide for their families.

When you go to bed at night and close your eyes, please think about your own children and those that you know and love. Think about what it is that you would like for them to have. Because that's what this is about. The kids. And it takes a village to raise them up. As politically charged as education has become across this nation, I believe that the legislators in our state have the courage to do the right thing for the voiceless that have gotten lost in this debate. The kids. This is not a Republican problem or a Democrat problem. This is a doing what is right versus doing what is wrong problem. As Kid President once said, "I disagree with you but I still like you as a person who is a human being and I will treat you like that because if I didn't it would make everything bad and that's what a lot of people do and it's lame." I believe that we, in Wisconsin, can choose to model for the nation what it means to put our differences aside for just about the best reason ever. For the kids.

I have included my name, address, e-mail, and phone number on my testimony that I will be submitting for the record. I look forward to hearing from you. And for you to do the right thing.

Thank you.

Dear Legislators,

I think there has been a mistake. This bill is being called a "school accountability" bill. But the way I read it, it should instead be called the No Accountability Bill.

When a school is not performing or under-performing (as judged by testing that is required in our public schools) this bill proposes to take away the oversight of the duly elected school board, parents and community. It requires handing the school over to a "to be constructed" entity, which is appointed by politicians and has a greater required number of private school representatives than public school folks. Are you so out of touch with the people of Wisconsin that you believe that politicizing our schools and taking them away from local control would be in our kids' best interest?

Where is the accountability here? Have you read the literature on private charter schools? They do a WORSE job than our public schools, in terms of student achievement/learning. Handing over decision making to a new (politicized and not elected committee) and then turning the school over to a private charter school is not just a non sequitur it is harmful to our communities and our children.

This bill has nothing to do with making education better for children. What it will do is create more private schools. These private schools will bring in highly paid CEOs from other parts of the country. These CEOs may believe that they know better than our local citizenry what our children need. In this they are deeply mistaken. What they do know, and what I know and what you know is that they will make money. Money will be shifted from our public schools to pay for these highly paid CEOs as well as the profiting making charter schools companies. They will allow these same schools to "stop taking new students" for two years. They will also allow these private charters to choose not to take students with special needs. Taking local and state tax dollars out of our communities and handing it over to politicized profit making companies with no responsibility to local parents or community members does not sound anything close to accountability to me.

These same private charter schools are not required to serve the needs of all the students in the community. They can elect not to take new students and they are not required to take special needs children. Perhaps you do not have a child or grandchild, or neighbor child with special needs. I do. These children, even more strongly require being a part of the local school community. By the same token, children who do not have special needs benefit from all children being in school. It is a biased and archaic idea that children with special needs should be turned away from their neighborhood school and bused somewhere else. I cannot believe your proposed callous actions in this regard.

The folks who know best what our children need are our locally elected school boards who employ local administrators and staff. Our schools are the life of our communities. We will not be cut out by a move to politicize and privatize our schools.

The research that has been done show us that charter school DO A WORSE JOB THAN THE PUBLIC SCHOOLS in student achievement. They don't help kids. They WOULD take away local control as parents and community and they will shift the burden of paying for private charter schools onto the remaining public schools while shutting out the children who need more support..

A better bill would change the funding formula for local schools (and the way the state reimburses these) to a fair and reasonable level.

Drop this bill now. It is harmful and Wisconsin citizens and our children deserve honesty and local control.
Sincerely,

Liz Lusk lizlusk51@gmail.com
452 Virginia Terrace, Madison, WI 53726

January 14, 2015

To: Assembly Committee on Education

Re: Opposition to Assembly Bill 1

Wisconsin's public primary and secondary education has served its citizens and the State very well.

Our public school children rank highly compared to students of other states. There is no imperative to impose drastic changes without a conscientious effort to study private schools and their abilities to educate children. Any institution that receives public funding for education should have and meet the same requirements as public schools including accounting for the use of public funds, meeting performance standards for all students, and state standards for all school employees.

Wisconsin has a history of LOCAL CONTROL of its public schools.

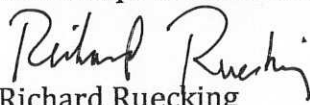
We hire and fire local educational administrators under a system of local control. We tax ourselves locally to build and maintain the local school system. Citizens meet directly with their local school boards to discuss and decide local educational issues including the continued use and employment of any structure or employee. By local consent, the largest proportion of support for public schools comes from PROPERTY TAXES.

Any charter school authority should be vested only at the local level.

AB 1 fundamentally changes the relationship of PRIVATE PROPERTY to government.

This legislation proffers situations where local property may be transferred to others with no rights to it. It is doubtful this legislation will pass constitutional muster. For this reason alone it needs an especially thorough and planned vetting. This legislation must be debated at every level of government down to the township level. Every citizen should have the time to read it and understand the consequences of its effects.

I pay property taxes in the Village of McFarland and in Patch Grove and Millville Townships in Grant County.



Richard Ruecking
6002 Lake Street
McFarland WI 53558

To whom it may concern,

I support efforts to require all schools receiving public tax funds to assess educational outcomes. However, I believe **all schools should be required to collect the same student information and administer the same tests**, on the same schedule so that data can be fairly analyzed across all schools. All test information and analysis should **be publically available** as soon as possible.

In addition, I have the following objections to AB1 on school accountability:

1. Creating an **Academic Review Board** adds **unnecessary bureaucracy** and complexity to overseeing and administering the process of assessing outcomes for WI students, teachers, and schools. We need less government intrusion; smaller government, not more. Less state bureaucratic control and **more local control**.
2. **Public schools** with a significant proportion of disadvantaged and/or disabled students should be relieved of sanctions for not reaching targets for % of students achieving certain scores or for not improving scores. Instead, the state should invest more funds in those schools for additional instructional staff to meet student needs.
3. I do **not** support using public tax money for vouchers that allow parents earning more than \$40,000/year to send their children to private schools on money that should go to support and improve WI public schools. The risk is too great that people like the Monroes (who received **2.3 million tax dollars** for their voucher school in Milwaukee where students did not learn basic skills) will defraud the state by taking tax money and not delivering educational outcomes. If the legislature insists on giving public tax money to private organizations, please mandate rigorous assessment of outcomes in those private organizations and if the outcomes are not achieved, mandate that DPI cut off funding and the attorney general 'claw back' all tax monies given to those organizations for the previous 5 years.

- 417 North GAR Hall

Testimony: January 14, 2015

Sheila K. Plotkin
5007 Falling Leaves Ln.
McFarland, WI 53558

Article X SECTION 3 of the WI Constitution says: "The legislature shall provide by law for the establishment of district schools, which shall be as nearly uniform as practicable; and such schools shall be free and without charge for tuition to all children between the ages of 4 and 20 years; and no sectarian instruction shall be allowed therein." That's education for all.

The American Legislative Exchange Council (ALEC) issued a report on American education, posted by Americans for Prosperity. "The one-size-fits-all education system has not worked. States should... pass choice legislation like charter school bills and voucher systems" That's education by exclusion.

Rep. Thiesfeldt introduced AB1. He is a member of Americans for Prosperity, even using that sneering phrase "one size fits all" on his own website. He's a religious school teacher, and received \$1800 in campaign contributions from private and religious schools.

I retired from the Milwaukee Public Schools Deaf and Hard of Hearing Program after 28 years. From the inside, I saw daunting challenges overwhelm shrinking resources. I am a passionate advocate of public education. It is not one-size-fits-all. It is open to all.

Last night, Gov. Walker said he trusts parents to choose their children's schools. Nearly all parents choose their public schools. You have already slashed their funding. Those chosen schools are dying by slow strangulation. You'll now label them as failures. You'll use the failures you engineered to justify an education-by-exclusion system at taxpayer expense. That is as transparent as it is dishonest.

AB1 usurps the constitutional authority of the Supt. of Public Instruction with an unelected Academic Review Board. 70% of its members will be either political appointees or employees of education-by-exclusion. The Board is empowered to establish or contract for independent schools. I quote Republican Sen. Dale Schultz: "I don't think that the average citizen of Wisconsin realizes what we're talking about is really eliminating completely the authority of local school boards and making them subject to a political board in Madison."

Staff: K. F. P. 10/12
501 Felling Leaves Ln
McFarland, WI 53558

Article X SECTION 2 of the WI Constitution says: "The legislature shall provide by law for the establishment of district schools, which shall be as nearly uniform as practicable; and such schools shall be free and without charge for tuition to all children between the ages of 4 and 20 years; and no sectarian instruction shall be allowed therein." That's education for all.

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I retired from the Milwaukee Public Schools Dept and Head of Hearing Program after 28 years. From the inside, I saw daunting challenges overwhelming shrinking resources. I am a passionate advocate of public education, it's not one-size-fits-all, it is open to all.

Last night Gov. Walker said he trusts parents to choose their children's schools. Nearly all parents choose their public schools. You have already slashed their funding. Those chosen schools are dying by slow strangulation. You'll now label them as failures. You'll blame the failures on the parents, not the system. The current system is taxpayer expense. That is all transparent as it is dishonest.

AB1 creates the constitutional authority of the Dept. of Public Instruction with an unelected Academic Review Board. 70% of its members will be either political appointees or employees of education-by-exclusion. The Board is empowered to establish or contract for independent schools. I quote Republican Sen. Dale Schultz: "I don't think that the system of Wisconsin realizes what we're taking about is really eroding completely the authority of local school boards and making them subject to a political board in Madison."

Testimony: January 14, 2015

You want to give taxpayers' money to schools where the many hundreds of deaf students I knew, now tax-payers themselves, would have been denied entry. Education-by-exclusion will either reject children with special needs or even worse, accept them without competent staff to teach them. That borders on the criminal.

You intend to invest public funds in fly-by-night education-by-exclusion or private religious schools. The former is immoral, the latter is un-democratic.

You talk about helping public schools to improve, but you vote to gut their funding, demoralize and demean their teachers, and threaten to shut them down. Your definition of helping needs work.

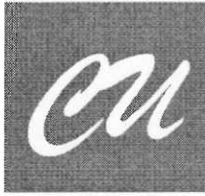
You promise freedom and choice, but you eviscerate school funding, restricting both freedom and choice for the vast majority of our children and their parents. Your promise is a lie.

Public schools include everyone. They have nurtured the American Dream and taught us how to exercise both our choices and our freedoms. They are the heart of our communities and the foundation of our middle class. They symbolize our moral commitment to one another.

AB1 is immoral. It shows contempt for local control. It betrays the parents who love their public schools and sent you here to represent them.

It is immoral to turn our children into cash cows for your campaign donors. Morality lies in the full funding our public schools. On behalf of the Constitution you swore to support, the parents who trusted you, and our vulnerable children who need your protection, I ask you to reject this bill and with it, reject public funding of education-by-exclusion.

Thank you.



Charles Uphoff

2475 Lalor Rd.
Fitchburg, WI 53575
608-835-7283
e-mail cuphoff@hotmail.com

My name is Charles Uphoff, I live at 2475 Lalor Rd. in the city of Fitchburg. I am retired and currently serve as a member of the Oregon School board and have previously served as a member and president of the Fitchburg City Council and as coordinator of the Wisconsin Governor's Conference on Children and Families for Governor Lee Sherman Dreyfus. I've also had experience teaching, working with Hispanic and Navajo pre-school children in Southern Colorado and at-risk youth in the Bedford-Stuyvesant section of New York.

All of my children graduated from Oregon High School and have done well both academically and professionally. My oldest daughter graduated with honors from Harvard University.

I would like to speak to you today about several concerns with regard to AB 1 the so-called School District Accountability Bill.

AB1 eliminates the ability of the Wisconsin Department of Public Instruction to step in, where needed, to help school districts with "underperforming schools."

Let me suggest to you that the focus of this Bill is sadly misdirected. If you sincerely want to do something to improve student outcomes in underperforming schools you will address the underlying problem that is widely recognized as the major factor in contributing to declining academic performance. **Poverty**

The number of students eligible for free or reduced lunch in Wisconsin has grown dramatically.

Milwaukee	82.4%
Menomonee	85.7%
Abbotsford	68.3%
Adams-Friendship	75.4%
Beloit	77.9%
Bayfield	71.4%
Delevan	69.1%
Gresham	71.5%
Lac du Flambeau	96.4%
Necedah	63.2%
Siren	71.3%

I think you get the picture.

A politically appointed Academic Review Board with the threat of privatizing "underperforming" public schools will not address their needs. In fact, the track record for private voucher and charter schools in this State and elsewhere has not been something to write home about. In Milwaukee and Racine, students enrolled in the parental choice programs have not performed better or in many cases as well as students in the public schools.

So why are we being asked to believe that turning our “failing public schools” over to private, often for profit charter or voucher schools, is going to be a solution that will help our “underperforming” public schools or beleaguered taxpayers?

K12 Inc. a national for-profit virtual school company paid their CEO more than \$9 million dollars in 2013, seventy-four times more than Wisconsin’s Superintendent of Public Instruction. But what are the results? Their top four executives received more than \$18 million dollars. This represented a 96% increase over the previous year yet only 28% of K12’s students made Adequate Yearly Progress in 2010-11, compared with 52% of public schools nationwide. On-time graduation rates for K12 high school students were 49% compared with 79% at public schools in the same states.

So please explain to me again, why are we supposed to spend taxpayer dollars to do this?

Over the past 6 years Wisconsin has consistently ranked 1st of 2nd nationally in High School Graduation rates.

This is not to say that we can’t and shouldn’t do better, particularly in closing the achievement gap for low-income and minority students, but AB1 is not the answer.

From my experience, serving on a local school board, I can tell you that the locally elected school boards that are accountable to their communities do a far better job of looking out for the taxpayers than this legislature. Recent scandals, waste and ineptitude involving Wisconsin’s Economic Development Commission only serve to illustrate this point.

Investment in our public schools is vital to the health and growth of our economy our communities and our families. In an increasingly competitive global economy we cannot afford to shortchange our children or compromise their future by creating separate and unequal and less accountable underperforming independent and for profit charter and voucher schools that divert taxpayer dollars from the classroom to padding portfolios.

The hostility of the current political environment in Wisconsin towards public education and teachers has resulted in some of our best teachers retiring or leaving the State and fewer students going into education as a career at a time when it is becoming more critical than ever to attract the best and the brightest to teaching if we wish to remaining competitive with other countries who are investing in their schools and in their students and in their future.

Charles Uphoff
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Fitchburg, WI 53575
608-835-7283
cuphoff@hotmail.com



Superintendent Jennifer Cheatham Testimony on AB 1

Madison Metropolitan School District Superintendent Jennifer Cheatham shared the following testimony at today's Assembly Education Committee Hearing on AB 1.

"Thank you for the opportunity to talk with you. My name is Jennifer Cheatham, and I am the superintendent of the Madison Metropolitan School District.

"Along with my testimony, I am sharing with you our district's Annual Report and most recent Quarterly Review of Progress. We are incredibly disciplined about reviewing our progress at the school and district level and reporting publicly on it, because we take very seriously being accountable to our community. In fact, the development of stronger internal accountability systems is one of our district's major priorities.

"Every school in our district develops a public school improvement plan aimed at measurable goals for student outcomes, and crafted with input from their school community. Every school closely monitors their progress along the way. Every school also reports out on their results at the end of the year.

"I think that all of us can agree that state level accountability systems are also important. This system ought to provide parents and guardians across the state with information on school status and progress and it ought to ensure that interventions occur when a school is not performing well. Every child deserves to attend a school that is capable of meeting their needs. While we share that belief, the bill before you today does not yet represent accountability that supports our efforts to meet the needs of every child.

"We have several concerns about the bill, but chief among them is that it does not support our most struggling schools in charting a true path to improvement. If a school is failing or struggling, we believe we have a responsibility to students, families and community members to make meaningful change. We need to not only require that these schools do what we know works in education, and we know quite a lot, we need to provide the resources necessary to implement those practices well.

"There is no evidence that charter conversion produces consistently better results for children. In fact, the results are very mixed across the country. Rather than supporting schools with the strategies and resources they need to improve, this bill relies on something we have no evidence will lead to real improvement.

"In addition, requiring the creation of independent charter schools will have a real impact on state aid for every public school district in the state. Even if Madison has no schools that are labeled as failing by this bill (and I can tell you that no matter what is passed, that we will be working hard to ensure that is true), we would still see a reduction in aid to our district if independent charters are created anywhere else in the state.

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“So even if we meet all of the expectations set out in this accountability bill, we could still be penalized with a loss of state aid—taking away precious resources from our students and families.

“We have several other concerns with the bill – that it would allow multiple tests that would not fairly compare schools across the system, it would assign letter grades that do not fairly communicate how a school is performing and will inevitably lead to reactive strategies, and it would remove control from our locally elected school boards.

“As I’ve said, I respect the need for a stronger accountability system, but it is clear that many parts of this bill need more thoughtful consideration before it should be passed. Rather than rush to pass a flawed bill, I would urge you to work with school districts to develop an accountability system that supports our efforts. We would welcome that opportunity. Thank you for your time and consideration.”

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