

2009 DRAFTING REQUEST

Senate Substitute Amendment (SSA-SB437)

Received: **03/31/2010**

Received By: **pgrant**

Wanted: **As time permits**

Companion to LRB:

For: **John Lehman (608) 266-1832**

By/Representing: **Jennifer Kammerud**

May Contact:

Drafter: **pgrant**

Subject: **Education - school boards**
Education - state superintendent

Addl. Drafters:

Extra Copies: **TKK**

Submit via email: **YES**

Requester's email: **Sen.Lehman@legis.wisconsin.gov**

Carbon copy (CC:) to: **jennifer.kammerud@dpi.wi.gov**

Pre Topic:

No specific pre topic given

Topic:

State superintendent interventions

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pgrant 04/02/2010	csicilia 04/05/2010		_____			
/P1	pgrant 04/09/2010	csicilia 04/09/2010	phenry 04/05/2010	_____	lparisi 04/05/2010		
/P2	pgrant 04/12/2010	csicilia 04/12/2010	mduchek 04/09/2010	_____	cduerst 04/09/2010		
/1			mduchek	_____	mbarman	mbarman	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
			04/12/2010 _____		04/12/2010	04/12/2010	

FE Sent For:

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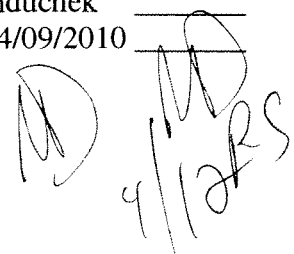
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/P1	pgrant 04/09/2010	csicilia 04/09/2010	phenry 04/05/2010	_____	lparisi 04/05/2010		
/P2			mduchek 04/09/2010		cduerst 04/09/2010		

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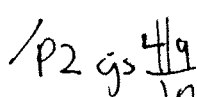
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/?	pgrant 04/02/2010	csicilia 04/05/2010		_____			
/P1			pherry 04/05/2010	_____	lparisi 04/05/2010		

FE Sent For:

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/?	pgrant	pl cjs 4/5 10	ph	ph / mD			
FE Sent For:				<END>			

Grant, Peter

From: Pertl, Jeff DPI [Jeff.Pertl@dpi.wi.gov]
Sent: Wednesday, March 31, 2010 12:50 PM
To: Grant, Peter
Subject: Re: Sub Drafting Instructions - Initial.doc

Yes please

Sent from my iPhone

On Mar 31, 2010, at 12:41 PM, "Grant, Peter" <Peter.Grant@legis.wisconsin.gov> wrote:

I'm sorry, but I keep noticing stuff....

In sub. (1) (d), DPI is given the authority to "...monitor other interventions directed by the state superintendent under pars. (a) to (d)." Do you want to extend this authority to the interventions directed by the state superintendent under the new par. (f)?

Peter

From: Pertl, Jeff DPI [mailto:Jeff.Pertl@dpi.wi.gov]
Sent: Wednesday, March 31, 2010 11:46 AM
To: Grant, Peter
Cc: Kammerud, Jennifer DPI
Subject: RE: Sub Drafting Instructions - Initial.doc

Yes...I think that is correct.

J. Jeffrey Pertl

Policy Initiatives Advisor &

Federal Funds Trustee

Department of Public Instruction

(608) 267-9232 office (NEW)

(608) 772-2907 cell

jeff.pertl@dpi.wi.gov

From: Grant, Peter [mailto:Peter.Grant@legis.wisconsin.gov]
Sent: Wednesday, March 31, 2010 11:30 AM
To: Pertl, Jeff DPI
Cc: Kammerud, Jennifer DPI

03/31/2010

Subject: RE: Sub Drafting Instructions - Initial.doc

Thanks, Jeff, for your responses. They're very helpful. Just one more question: in your response to the second bulleted item, are "reporting structures" a way of describing lines of authority? So that DPI could require that high school guidance counselors be supervised directly by the school district administrator rather than the principal? Probably a bad example, but is that the general idea?

Peter

From: Pertl, Jeff DPI [mailto:Jeff.Pertl@dpi.wi.gov]
Sent: Wednesday, March 31, 2010 10:36 AM
To: Grant, Peter
Cc: Kammerud, Jennifer DPI
Subject: RE: Sub Drafting Instructions - Initial.doc
Importance: High

Peter,

Here are the clarifications:

- In sub. (1) (intro.), during what period must a school be "among the lowest performing five percent schools"? In the previous school year?

Yes, the "lowest performing five percent of schools" is an annual calculation. A school would be identified for the 2010-11 school year based on 2009-10 performance data.

- In sub. (1) (d), what are "administrative and personnel structures"?

This would include the creation, modification and elimination of positions and reporting structures, subject to other statutory requirements and collective bargaining agreements. For example, the state superintendent could require guidance counselors in every high schools, assistant principals in low performing middle schools, or DIFI supervisors in nine (now ten) zone within MPS (which was done as part of the original corrective action plan).

However, this would not allow the state superintendent to hire, promote, demote or terminate specific individuals, including, but not limited to, the district superintendent. Additionally, some district and school positions are statutory requirements, and would not be affected.

- In the new paragraph (f), what are "independent evaluation and audit teams"?

I think we can remove that language and replace it with the following:

Create a **School Improvement Board** comprised of key state and local stakeholders, which may include, but is not limited, to state education officials, legislators, district administrators, district teachers and community leaders, to provide independent review of identified schools as well as school improvement recommendations to the State Superintendent of Public Instruction.

- In sub. (3), why is "school district" deleted from page 3, line 5 of the bill, only to be reinserted as "whether a

03/31/2010

school district is in need of improvement" on line 6?

There are three triggers for the state superintendent's authority: SIFI schools, five percent of lowest performing, and DIFI districts, so the intention was to clarify the three triggers (as opposed to two under the original bill). We of course defer to your drafting discretion.

(3) The state superintendent shall promulgate rules establishing criteria and a procedure for determining whether a school is in need of improvement, a school is among the lowest performing five percent schools or whether a school district is in need of improvement under sub. (1).

OR

(3) The state superintendent shall promulgate rules establishing criteria and a procedure for determining whether a school or school district is in need of improvement or a school is among the lowest performing five percent schools under sub. (1).

Either way is good for us...

Thanks,

Jeff

From: Kammerud, Jennifer DPI [mailto:Jennifer.Kammerud@dpi.wi.gov]

Sent: Tuesday, March 30, 2010 3:47 PM

To: Grant, Peter

Cc: Dauscher, Sara; McCarthy, Tom; Pertl, Jeff DPI

Subject: Sub Drafting Instructions - Initial.doc

Importance: High

Peter,

We are looking to draft a substitute amendment to SB 437 and AB 534 (please see attached). We need to get this back from you as soon as possible so we can work out any problems as it may be that this could come up as early as next week. I know you are swamped, so whatever you can do to get this done quickly is greatly appreciated.

Feel free to call either myself or Jeff Pertl in our office if you have any questions or want clarification on any of these items. I can be reached on my cell phone at 219-4553 or at this e-mail address and Jeff can be reached on his cell at 772-2907.

Jennifer

Jennifer Kammerud
Legislative Liaison
Department of Public Instruction
125 South Webster Street
Madison, WI 53707
Ph: 608/266-7073
E-mail: jennifer.kammerud@dpi.wi.gov

<< File: Sub Drafting Instructions - Initial.doc >>

-- Sub Drafting Instructions --

Part I. State Support & Interventions (see attached draft language)

The state superintendent may direct a school board to do one or more of the following (1) in a school if it is identified for improvement or it is among the lowest performing five percent of schools, or (2) in a school district if it is identified for improvement.

1. Implement a new curriculum.
2. Implement a new instructional design, including expanded school hours, additional pupil supports and services, and individual learning plans for pupils.
3. Implement professional development programs focused on improving pupil academic achievement.
4. Implement changes in administrative and personnel structures that are consistent with applicable collective bargaining agreements.
5. Adopt accountability measures to monitor the school district's finances or to monitor other interventions directed by the state superintendent.
6. Create a School Improvement Board comprised of key stakeholders as well as independent evaluation and audit teams to provide school improvement recommendations.

The state superintendent may withhold state aid from any school district that fails to comply to the state superintendent's satisfaction with a directive

Part II. Student Learning

Schools identified among the lowest performing five percent of schools must:

1. Use student performance and growth data (including formative, interim, and summative assessments) to inform and differentiate instruction to meet individual student needs.
2. Implement an academic and behavioral "response-to-intervention" model that provides diagnostic assessments, core instruction to all students, differentiation strategies, and interventions in reading and mathematics.
3. Establish schedules and implement strategies that provide increased learning time, which may include, but are not limited to, extended school day, extended school year, summer school, or intercession courses.

Districts that have more than one school identified among the lowest performing five percent of schools must:

1. Employ a standard, consistent curriculum in literacy and mathematics that is aligned to the model academic standards and aligned vertically across grades in all school buildings.

Part III. Teachers & Leaders

Schools identified among the lowest performing five percent of schools must:

1. Use **rigorous, transparent, and equitable evaluation systems** for teachers and principals that include:
 - Annual evaluations;
 - Multiple rating categories;
 - Student growth as a significant factor, which must include a minimum of two measures of student growth, only one of which may be the state assessment under ESEA;
 - Observation-based assessments of performance;
 - Ongoing collections of professional practice materials or classroom artifacts; and
 - Are designed and developed with teacher and principal involvement.
2. Implement a district policy to ensure the **equitable distribution** of teachers and principals based on qualification (licensure) and effectiveness.
 - If inequities in distribution exist, then the district must perform a comprehensive review of current policies and other constraints that prevent low performing schools from recruiting, placing and retaining effective staff and implement strategies to eliminate those barriers. Additionally, the district must provide additional support to educators in those schools around improving student performance and qualifications. These supports may include, but are not limited to, professional learning communities, job-embedded professional development, and tuition reimbursement for license-related course work.
3. Establish teacher and principal improvement programs for staff that include:
 - Supplemental mentoring or coaching for all educators with emergency licenses and emergency permits as well as supplemental principal mentoring.
 - A minimum of 40-60 hours of high quality job-embedded professional development for teachers and principals.
 - Programs that identify and remove school leaders and educators who, after opportunities have been provided to improve their professional practice, have not done so. Such staff may be provided career counseling as appropriate.

Districts that have more than one school identified among the lowest performing five percent of schools must:

1. Ensure strong school leaders by adopting principal placement criteria that includes prior evaluations and student achievement indicators (if applicable).
2. Create and implement a district policy to ensure the equitable distribution of teachers and principals based on qualification (licensure) and effectiveness.

If inequities in distribution exist, then the district must perform a comprehensive review of current policies and other constraints that prevent low performing schools from recruiting, placing and retaining effective staff and implement strategies to eliminate those barriers. Additionally, the district must provide additional support to educators in those schools around improving student performance and qualifications. These supports may include, but are not limited to, professional learning communities, job-embedded professional development, and tuition reimbursement for license-related course work.

Statewide

1. Prohibit **management-level tenure** in all schools and districts statewide.
-

From SB 437:

115.292 State superintendent interventions. (1) If the state superintendent determines that a school is in need of improvement for 5 consecutive school years, a school is among the lowest performing five percent schools, or that a school district is in need of improvement for 4 consecutive school years, the state superintendent may direct the school board to do one or more of the following in the school or school district:

- (a) Implement a new curriculum.
- (b) Implement a new instructional design, including expanded school hours, additional pupil supports and services, and individual learning plans for pupils.
- (c) Implement professional development programs focused on improving pupil academic achievement.
- (d) Make ~~personnel~~ changes in administrative and personnel structures that are consistent with applicable collective bargaining agreements.
- (e) Adopt accountability measures to monitor the school district's finances or to monitor other interventions directed by the state superintendent under pars. (a) to (d).
- (f) Create a school improvement board comprised of key stakeholders, including, but not limited to, parents, teachers, administrators, support staff, and business representatives, as well as independent evaluation and audit teams to provide school improvement recommendations to the state superintendent.

(2) If a school board receives a directive from the state superintendent under sub.

(1), the school board shall seek input from school district staff on implementing the directive.

(3) The state superintendent shall promulgate rules establishing criteria and a procedure for determining whether a school ~~or school district~~ is in need of improvement, a school is among the lowest performing five percent schools or whether a school district is in need of improvement under sub. (1).

SECTION 2. 121.006 (1) (a) of the statutes is renumbered 121.006 (1) (a) 1.

SECTION 3. 121.006 (1) (a) 2. of the statutes is created to read:

121.006 **(1)** (a) 2. The state superintendent may withhold state aid from any school district that fails to comply to the state superintendent's satisfaction with a directive under s. 115.292 (1). **(END)**

Grant, Peter

From: Pertl, Jeff DPI [Jeff.Pertl@dpi.wi.gov]
Sent: Wednesday, March 31, 2010 3:46 PM
To: Grant, Peter
Subject: Legislation update
Importance: High
Attachments: 04012010 RTTT MPS Legislative Options v17.docx

Attached is a *current* plain language version of the legislation. There is a Milwaukee-specific section at the end, which is still under negotiation and would likely have to be (1) simplified or (2) drawn from existing bill drafts in order to be completed.

The section authorities have been modified. Part III is not final, but if it changes it would then mirror Part II.

Part I. State Superintendent powers would apply to:

- *a **district** is in need of improvement for four consecutive school years*
- *a **school** is in need of improvement for five consecutive school years or*
- *a **school** is located with a district identified for improvement for five consecutive years and is among the lowest performing five percent of schools^[1], (these would all be captured by bullet one, but would be consistent with Part III of the bill)*

Part II. Student Learning would apply to:

- ***Districts** that have been identified for improvement for four consecutive years must:*

Part III. Teachers & Leaders would apply to:

- ***Districts** that have been identified for improvement for four consecutive years must implement the following in schools identified among the **lowest performing five percent of schools**: (these would be the federal school improvement grant schools)*

Why don't you try to reach me on my cell, and we can talk through where we are at.

I really appreciate all your work on this.

Jeff

[1] This is the identification process under federal law for the School Improvement Grants and proposed for ESEA reauthorization. Schools must be in the lowest five percent of school performance based on 1) absolute reading and mathematics proficiency and growth in reading and mathematics score below the state average; or 2) have a graduation rate under 60 percent.

rec'd
3/31/10
4pm

TURNING AROUND OUR LOWEST PERFORMING SCHOOLS AND DISTRICTS

The state superintendent shall promulgate rules establishing criteria and a procedure for determining whether a school or school district is in need of improvement. The criteria and procedures should align with federal law.

Part I. State Support & Interventions

If the state superintendent of public instruction determines that:

- a **district** is in need of improvement for four consecutive school years
- a **school** is in need of improvement for five consecutive school years or
- a **school** is located with a district identified for improvement for five consecutive years and is among the lowest performing five percent of schools¹,

Then the state superintendent may direct a school board to do one or more of the following:

1. Implement a new curriculum.
2. Implement a new instructional design, including expanded school hours, additional pupil supports and services, and individual learning plans for pupils.
3. Implement professional development programs focused on improving pupil academic achievement.
4. Implement changes in administrative and personnel structures that are consistent with applicable collective bargaining agreements. (modified per Dr. Bond's request)
5. Adopt accountability measures to monitor the school district's finances or to monitor other interventions directed by the state superintendent.
6. Create a School Improvement Board comprised of key stakeholders as well as independent evaluation and audit teams to provide school improvement recommendations.

The state superintendent may withhold state aid from any school district that fails to comply to the state superintendent's satisfaction with a directive

Part II. Student Learning

Districts that have been identified for improvement for four consecutive years must:

***Please note, these requirements are aligned with the federal school improvement grant program and drawn from input from Milwaukee legislators, the MPS Board and MTEA. ***

1. Employ a standard, consistent curriculum in literacy and mathematics that is aligned to the model academic standards and aligned vertically across grades in all school buildings (if applicable).
2. Use student performance and growth data (including formative, interim, and summative

¹ This is the identification process under federal law for the School Improvement Grants and proposed for ESEA reauthorization. Schools must be in the lowest five percent of school performance based on 1) absolute reading and mathematics proficiency and growth in reading and mathematics score below the state average; or 2) have a graduation rate under 60 percent.

assessments) to inform and differentiate instruction to meet individual student needs.

3. Implement an academic and behavioral “response-to-intervention” model that provides diagnostic assessments, core instruction to all students, differentiation strategies, and interventions in reading and mathematics.
4. Establish schedules and implement strategies that provide increased learning time, which may include, but are not limited to, extended school day, extended school year, summer school, or intercession courses.
5. Collaborate with local nonprofit organization, city agencies and public agencies to support students through comprehensive wrap around social services and educational supports, which may include but are not limited to promise neighborhoods or the WINS for Children program (if applicable).
6. Participate in a research consortium that includes researchers from at least one institute of higher education and district staff and may include researchers from other organizations that would inform policy and practice by providing recommendations to the district and State Superintendent based on independent research and analysis.

Note: Current collective bargaining laws would apply to the implementation of these requirements.

Part III. Teachers & Leaders

Districts that have been identified for improvement for four consecutive years must implement the following in schools identified among the lowest performing five percent of schools:

Please note, these requirements are aligned with the federal school improvement grant program and drawn from input from Milwaukee legislators, the MPS Board and MTEA.

1. Use rigorous, transparent, and equitable evaluation systems for teachers and principals that include:
 - This item is still under discussion with WEAC and MTEA re: appropriate language.
2. Implement a district policy to ensure the equitable distribution of teachers and principals based on qualification (licensure) and effectiveness.
 - If inequities in distribution exist, then the district must, then the district must perform a comprehensive review and objective of current policies and other constraints that prevent low performing schools from recruiting, placing and retaining effective staff and implement strategies to eliminate those barriers. Additionally, the district must provide additional support to educators in those schools around improving student performance and qualifications. These supports may include, but are not limited to, professional learning communities, job-embedded professional development, and tuition reimbursement for license-related course work.
3. Establish teacher and principal improvement programs for staff that include:
 - Supplemental mentoring or coaching for all educators with emergency licenses and emergency permits as well as supplemental principal mentoring.
 - Pathways to National Board Certification and other professional certification.
 - A minimum of 40-60 hours of high quality job-embedded professional development for teachers and principals.
 - Programs that identify and remove school leaders and educators who, after opportunities have been provided to improve their professional practice, have not done so. Such staff may be provided career counseling as appropriate.
 - Joint labor-management programs that identify, utilizing objective criteria, school leaders and educators who, after opportunities have been provided to improve their professional practice, continue to demonstrate serious performance deficiencies. The program must provide voluntary opportunities for improvement including weekly observation, ongoing conferences, modeling, an additional professional development. The program must offer staff participants the option of career counseling and other career transition benefits as appropriate.
 - This proposal is modeled on the MPS TEAM program. The details, including the referral process, are still under discussion.
4. Ensure strong school leaders by adopting principal placement criteria that includes prior evaluations

Turning Around Struggling Schools and Districts

and student achievement indicators (if applicable).

Note: Current collective bargaining laws would apply to the implementation of the above requirements.

5. Prohibit management-level tenure in all districts.

118.23(2)

119.42(1m)

REF

rec'd
4/11/10
NGBH

TURNING AROUND OUR LOWEST PERFORMING SCHOOLS AND DISTRICTS

The state superintendent shall promulgate rules establishing criteria and a procedure for determining whether a school or school district is in need of improvement. The criteria and procedures should align with federal law.

Part I. State Support & Interventions

If the state superintendent of public instruction determines that:

- a **district** is in need of improvement for four consecutive school years
- a **school** is in need of improvement for five consecutive school years or
- a **school** is located with a district identified for improvement for four consecutive years and is among the lowest performing five percent of schools¹,

Then the state superintendent may direct a school board to do one or more of the following:

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3. Implement professional development programs focused on improving pupil academic achievement.
4. Implement changes in administrative and personnel structures that are consistent with applicable collective bargaining agreements. (modified per Dr. Bond's request)
5. Adopt accountability measures to monitor the school district's finances or to monitor other interventions directed by the state superintendent.
6. Create a School Improvement Board comprised of key state and local stakeholders, including state education officials, legislators, district administrators, district teachers and community leaders, to provide independent review and improvement recommendations to the State Superintendent.

The state superintendent may withhold state aid from any school district that fails to comply to the state superintendent's satisfaction with a directive

Part II. Student Learning

Districts that have been identified for improvement for four consecutive years must:

Please note, these requirements are aligned with the federal school improvement grant program and drawn from input from Milwaukee legislators, the MPS Board and MTEA.

1. Employ a standard, consistent curriculum in literacy and mathematics that is aligned to the model academic standards and aligned vertically across grades in all school buildings (if applicable).
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¹ This is the identification process under federal law for the School Improvement Grants and proposed for ESEA reauthorization. Schools must be in the lowest five percent of school performance based on 1) absolute reading and mathematics proficiency and growth in reading and mathematics score below the state average; or 2) have a graduation rate under 60 percent.

3. Implement an academic and behavioral “response-to-intervention” model that provides diagnostic assessments, core instruction to all students, differentiation strategies, and interventions in reading and mathematics.
4. Establish schedules and implement strategies that provide increased learning time, which may include, but are not limited to, extended school day, extended school year, summer school, or intercession courses.

Note: Current collective bargaining laws would apply to the implementation of these requirements.

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Districts that have been identified for improvement for four consecutive years must implement the following in schools identified among the lowest performing five percent of schools:

Please note, these requirements are aligned with the federal school improvement grant program and drawn from input from Milwaukee legislators, the MPS Board and MTEA.

1. Use rigorous, transparent, and equitable evaluation systems for teachers and principals that include
 - Annual evaluations, multiple rating categories, student growth as a significant factor, observation based assessments of performance, ongoing collections of professional practice materials or classroom artifacts; and
 - Are designed and developed with teacher and principal involvement.
 - This item is still under discussion/review re: appropriate language and parameters.
2. Implement a district policy to ensure the equitable distribution of teachers and principals based on qualification (licensure) and effectiveness.
 - If inequities in distribution exist, then the district must, then the district must perform a comprehensive review and objective of current policies and other constraints that prevent low performing schools from recruiting, placing and retaining effective staff and implement strategies to eliminate those barriers. Additionally, the district must provide additional support to educators in those schools around improving student performance and qualifications. These supports may include, but are not limited to, professional learning communities, job-embedded professional development, and tuition reimbursement for license-related course work.
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 - Pathways to National Board Certification and other professional certification.
 - A minimum of 40 hours of job-embedded professional development for teachers and principals.
 - Joint labor-management programs that identify, utilizing objective criteria, school leaders and educators who, after opportunities have been provided to improve their professional practice, continue to demonstrate serious performance deficiencies. The program must provide voluntary opportunities for improvement including weekly observation, ongoing conferences, modeling, an additional professional development. The program must offer staff participants the option of

career counseling and other career transition benefits as appropriate.

- This proposal is modeled on the MPS TEAM program. The details, including the referral process, are still under discussion.

4. Ensure strong school leaders by adopting principal placement criteria that includes prior evaluations and student achievement indicators (if applicable).

Note: Current collective bargaining laws would apply to the implementation of the above requirements.

5. Prohibit management-level tenure in all districts.

COMMUNITY & RESEARCH SUPPORTS IN MILWAUKEE

These items would apply only to Milwaukee. However, it may be more appropriate to announce some of them as part of a reform strategy and our Round II Race to the Top application. Also, there may be a challenge getting all of these items properly drafted within the legislative timeline.

WINS for Children/Promise Neighborhoods

- ✓ Collaborate with local nonprofit organization, city agencies and public agencies to support students through comprehensive wrap around social services and educational supports, which may include but are not limited to promise neighborhoods or the WINS for Children program (if applicable).

Research Consortium

- ✓ Create statutory authority for a Milwaukee research consortium, modeled on the Chicago's Consortium on School Research (CCSR) and the Boston Plan for Excellence (BPE). The consortium would inform policy and practice by providing recommendations to the MPS Board and State Superintendent based on independent research and analysis.

Transitions to Careers for Struggling Students

- ✓ Ensure every child is a graduate by providing credit recovery or degree programs to students and high school drop out participating in the Milwaukee Jobs Corps.
- ✓ Partner with the Milwaukee Area Technical College to provide alternative routes to graduation for at-risk or overage students unlikely to graduate in a traditional school setting.

STEM

If the board determines that state or federal aid is available, any school in the city that enrolls pupils in grades kindergarten to 5 is eligible to apply to the board for funding to participate in a pilot program designed to develop innovative instructional programs in science, technology, engineering, and mathematics; support pupils who are typically underrepresented in these subjects; and increase the academic achievement of pupils in those subjects.

Family & Community Engagement

- ✓ Require the district to provide regular forums for family and community engagement, which may include local school councils, parental surveys or providing parent education classes.

Grant, Peter

From: Pertl, Jeff DPI [Jeff.Pertl@dpi.wi.gov]
Sent: Thursday, April 01, 2010 6:43 PM
To: Grant, Peter
Cc: Kammerud, Jennifer DPI
Subject: Updated Legislation

Importance: High

Attachments: 04012010 RTTT MPS Legislative Options v20.docx



04012010 RTTT
MPS Legislative...

Peter,

Here is the final draft version of the legislation. They may be a few additional comments, but this is the agreed document that can be put in for drafting.

I will be available by cell phone all day tomorrow if you have questions.

Thanks for all your hard work on this,

Jeff

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TURNING AROUND OUR LOWEST PERFORMING SCHOOLS AND DISTRICTS

The state superintendent shall promulgate rules establishing criteria and a procedure for determining whether a school or school district is in need of improvement. The criteria and procedures should align with federal law.

Part I. State Support & Interventions

The state superintendent may direct a school board to do one or more of the following:

*In a **school** that is identified for improvement for five consecutive years or is among the lowest performing five percent of schools¹ and is located with a district identified for improvement for four consecutive years:*

1. Implement a new or modified instructional design, which may include but are not limited to, expanded schools hours, additional pupil supports and services, or individual learning plans.
2. Create an advisory School Improvement Board comprised of key state and local stakeholders, including state education officials and representatives from: the district board, district administration school administration, each employee groups (bargaining unit), parents and community leaders, to provide recommendations to the State Superintendent.

*In a **district** is in need of improvement for four consecutive school years:*

1. Implement a new or modified curriculum that is aligned to state standards and aligned vertically across grades and horizontally in all school buildings.
2. Implement a new or modified instructional design.
3. Implement professional development programs focused on improving pupil academic achievement.
4. Implement changes in administrative and personnel structures that are consistent with applicable collective bargaining agreements. (modified per Dr. Bond's request)
5. Adopt accountability measures to monitor the school district's finances or to monitor other interventions directed by the state superintendent.

The state superintendent may withhold state aid per WSS 121.006. Districts would be entitled to due process under chapter 227 of state statutes.

✓ **Part II. Student Learning**

Districts that have been identified for improvement for four consecutive years must:

1. Employ a standard, consistent curriculum in literacy and mathematics that is aligned to state standards and aligned vertically across grades and horizontally in all school buildings.
2. Use student performance and growth data (including formative, interim, and summative

¹ This is the identification process under federal law for the School Improvement Grants and proposed for ESEA reauthorization. Schools must be in the lowest five percent of school performance based on 1) absolute reading and mathematics proficiency and growth in reading and mathematics score below the state average; or 2) have a graduation rate under 60 percent.

assessments), which may include value-added analysis, to inform and differentiate instruction to meet individual student needs.

3. Implement an academic and behavioral “response-to-intervention” model that provides diagnostic assessments, core instruction to all students, differentiation strategies, and interventions in reading and mathematics.
4. Establish schedules and implement strategies that provide increased learning time, which may include, but are not limited to, extended school day, extended school year, summer school, or intercession courses.

Part III. Teachers & Principals

Districts that have been identified for improvement for four consecutive years must implement the following in schools identified among the lowest performing five percent of schools:

1. Use rigorous, transparent, and equitable evaluation systems for teachers and principals that at a minimum include:
 - Annual evaluations, multiple rating categories, multiple rating criteria that includes student growth as a significant factor, observation-based assessments of performance, ongoing collection of professional practice materials or classroom artifacts;
 - Student growth must be based on two or more measures that may include classroom-based, school-based, district-based or state-based tools.
 - A method to identify mitigating factors that could affect teacher or principal performance, which may include but are not limited to: student mobility/transfers, student demographics, excessive class size, or a lack of the following: preparation time, paraprofessional support, meaningful professional development, resources and support.
2. Implement a district policy to ensure the equitable distribution of teachers and principals based on qualification (licensure) and effectiveness.
 - If inequities in distribution exist, then the district must perform a comprehensive and objective review of current policies and other constraints that prevent low performing schools from recruiting, placing and retaining effective staff and implement strategies to eliminate those barriers. Additionally, the district must provide additional support to educators in those schools around improving student performance and qualifications. These supports may include, but are not limited to, professional learning communities, job-embedded professional development, and tuition reimbursement for license-related course work.
3. Establish and implement teacher and principal improvement programs for staff that include:
 - Supplemental mentoring or coaching for all educators with emergency licenses and emergency permits as well as supplemental principal mentoring.
 - Pathways to National Board Certification and other professional certification.
 - A minimum of 60 hours of job-embedded professional development for teachers and principals. Affected teachers and principals must have significant input in the content of the professional

development.

- Joint labor-management programs that identify, utilizing objective criteria, school principals and teachers who, after opportunities have been provided to improve their professional practice, continue to demonstrate serious performance deficiencies. The program must provide voluntary opportunities for improvement including weekly observation, mentoring, ongoing conferences, modeling, and additional professional development. The program must offer staff participants the option of career counseling and other career transition benefits as appropriate.
- 4. Ensure strong school principals by adopting placement criteria that includes prior evaluations and student achievement indicators (if applicable).

Note: Current collective bargaining laws would apply to the implementation of the above requirements.

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- 5. Prohibit management-level tenure in all districts. Current staff with management-level tenure would be grandfathered under the law.

Nothing in this Act shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded school districts and school district employees under federal, state, or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employers and their employees.

COMMUNITY & RESEARCH SUPPORTS IN MILWAUKEE

These items would apply only to Milwaukee.

WINS for Children/Promise Neighborhoods

Collaborate with local nonprofit organization, city agencies and public agencies to support students through comprehensive wrap around social services and educational supports, which may include but are not limited to promise neighborhoods or the WINS for Children program (if applicable).

Research Consortium

Participate in a Milwaukee research consortium, modeled on the Chicago's Consortium on School Research (CCSR) and the Boston Plan for Excellence (BPE). The consortium would inform policy and practice by providing recommendations to the MPS Board and State Superintendent based on independent research and analysis.

Transitions to Careers for Struggling Students

Provide credit recovery or alternative routes to graduation for at-risk or overage students unlikely to graduate in a traditional school setting.

STEM

If the board determines that state or federal aid is available, any school in the city that enrolls pupils in grades kindergarten to 5 is eligible to apply to the board for funding to participate in a pilot program designed to develop innovative instructional programs in science, technology, engineering, and mathematics; support pupils who are

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typically underrepresented in these subjects; and increase the academic achievement of pupils in those subjects.

Family & Community Engagement

Require the district to provide regular forums for family and community engagement, which may include local school councils, parental surveys or providing parent education classes.

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