Alverno College
Beloit College
Cardinal Stritch University
Carroll University
Carthage College
Concordia University
Edgewood College
Lakeland College
Lawrence University
Marian University

Wisconsin Association of Independent Colleges and Universities

Marquette University
Milwaukee Institute of Art & Design
Milwaukee School of Engineering
Mount Mary College
Northland College
Ripon College
St. Norbert College
Silver Lake College
Viterbo University
Wisconsin Lutheran College

TESTIMONY
By
Dr. Rolf Wegenke, President
Wisconsin Association of Independent Colleges and Universities
On
Assembly Bill 536
Before
THE ASSEMBLY COMMITTEE ON EDUCATION
November 2, 2009

Chair Pope-Roberts, members of the committee, my name is Rolf Wegenke and I am president of the Wisconsin Association of Independent Colleges and Universities or WAICU. WAICU represents the 20 private, nonprofit colleges in the state of Wisconsin and their 59,000 students. Our colleges in aggregate produce about 26 percent of the state's college degrees each year. In critical workforce areas we are productive in excess of our proportionate share of total statewide enrollment. For example, private colleges in Wisconsin produce 50 percent of the state's nurses and 30 percent of the state's engineers. In 2006–2007, WAICU colleges graduated 58 percent of the minority student graduates who earned a 4-year degree in all the Milwaukee-area colleges (UWM and Milwaukee private colleges).

Wisconsin is going to have a statewide longitudinal education data system or LDS. Governor Doyle, along with the governors of all other states, gave this assurance as a condition for receiving American Recovery and Reinvestment Act funds. In addition, there are several other federal education grants that also require states to have a statewide LDS in order be eligible for these grant funds.

The one question for WAICU and its members was, "Are we going to have a seat at the table?" We were concerned about what we saw in other states: private colleges mandated to provide their data to a state LDS, with absolutely no role in establishing the ground rules for protecting the privacy of their students' information, or determining how data would be shared and used for research or to answer public policy questions.

So when the Administration came to WAICU and asked us to be part of the discussions about a statewide LDS, we asked for this voice in setting the ground rules for collection and use of our students' data. This legislation provides that voice, and we look forward to working with our partners in DPI, UW, and WTCS.

It is important to understand WAICU's role. With the support of the Administration, the Senate Committee on Education adopted an amendment requested by WAICU to clarify that WAICU's seat at the table does not trump federal legislation stating that when a state establishes an LDS, it cannot require individual private nonprofit colleges to participate. Our member presidents met in Milwaukee last

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Wednesday and unanimously urged that clarifying language be inserted in the bill to make it clear that an individual private nonprofit college's participation in the system is voluntary.

We do not want to start an arduous and extremely important project with ambiguities between federal and state law and even the remotest possibility of confusion between the roles and responsibilities of WAICU and WAICU members clouding the picture.

Assembly Education Committee
November 2, 2009

Hearing on
Race to the Top Legislative Initiatives

Secretary Michael L. Morgan
Department of Administration

Chairwoman Pope-Roberts and members of the committee, thank you for the opportunity to speak to you today about the U.S. Department of Education's Race to the Top grant program and the Governor's proposals to make Wisconsin both eligible and more competitive for the $4 billion that will be made available to states that apply for these funds.

Accompanying me is Tim Casper, executive assistant at the Department of Administration.

Overview of Race to the Top Application

- As members of the committee are aware, the application requires states to take necessary actions to become eligible and then specifies four areas where states must make policy recommendations for the grant application:
  - Standards and Assessments
  - Data Systems
  - Great Teachers and Leaders
  - Turning Around Struggling Schools

- And one other area where states may make policy recommendations to better compete for the grant – Science, Technology, Engineering and Math or STEM.

- The Governor's package includes five initiatives for the purpose of making Wisconsin eligible and competitive for Race to the Top.

Eligibility

- To apply for the grant states must not have any prohibition on the use of student performance data as part of evaluating teachers.

- The proposal before you removes that barrier by making clear that student performance on the WKCE may be used to evaluate teachers. Depending on the final guidelines for the grant, we may need to consider modifying this proposal to improve our competitive position and make it more likely that Wisconsin will receive an award.

- The proposal does require that school boards bargain with local unions over the following:

  1) A description of the teacher evaluation process
  2) The rational for using examination results to evaluate teachers
  3) An explanation of how the school board intends to use the evaluations to improve pupil academic achievement

- The Obama Administration, through the competitive process, is challenging all of us to create comprehensive evaluations of teacher effectiveness that use data on student performance. The Obama Administration wants states to use this information regarding teacher effectiveness as part of evaluating, disciplining and dismissing teachers.

Data Systems and Sharing

- In applying for the grant, it is expected that states will have in place integrated data systems that are used to inform parents, students, teachers, principals, administrators, school board members, higher education leaders and state policy-makers.

- At the school level, data should be used to inform teachers and principals on how to support individual student learning as well as how to adjust instructional practices to more broadly support all students.

- Information about students and teachers should be available for research to evaluate questions about the effectiveness of instructional materials, teaching strategies and approaches for educating students who might have limited English proficiency or students with disabilities.

- Collection and sharing of this data will allow us to explore in our colleges and universities questions regarding student preparedness for post-secondary education.

- Researchers will begin to help policy-makers understand what strategies are effective at improving student learning at all levels, which will help us make investment decisions.

- The Governor's proposal provides a framework for the Department of Public Instruction, UW System, WI Technical College System and the members of the WI Association of Independent Colleges and Universities to share data for the purpose of research.

- The framework does not alter the existing authorities and responsibilities that each of the institutions has, but

rather provides a means to share data about students in a manner that protects student privacy.

Turning Around Schools

- In order to ensure that every child in Wisconsin has access to a high-quality education, we need to make certain that the state superintendent has the authority he needs to intervene in our lowest performing schools and school districts. Our state superintendent must be able to work directly with these schools to improve the education of the children in those schools.

- The grant application is explicit on this issue of ensuring that states have the necessary authority to intervene in chronically under-performing schools.

- The Governor worked closely with State Superintendent Evers on this proposal and it would provide authority to the Superintendent to intervene in chronically under-performing schools.

- Specifically, the proposal would permit the superintendent to do the following:

    1) Implement a new curriculum in one or more schools.
    2) Implement a new instructional design in one or more schools.
    3) Implement professional development focused on student and school improvement.
    4) Make personnel changes consistent with applicable collective bargaining agreements.
    5) Adopt accountability measures to monitor the district's finances or to monitor other interventions directed by the state superintendent.

- In using this authority, the superintendent would require school boards to consult with school staff on

implementation of the state superintendent's directives – providing a means of involving those that will be responsible for implementing the superintendent's directive.

- The Obama Administration is supportive of states having high-quality standards and guidelines for its charter schools.

- In Wisconsin, we have a number of charter schools and no restrictions on the creation of charter schools. Earlier this year, in the budget, the legislature required non-instrumentality charter schools to consider the standards and principles of the National Association of Charter School Authorizers.

- The Governor's proposal would require that district chartered schools consider these standards and principles. Specifically, the standards and principles relate to issues of performance contracting, oversight, evaluation and decisions about renewing charters.

Math and Science

- The RTT application puts forward a competitive priority that asks states to consider submitting recommendations to focus on improving learning in the areas of science, technology, engineering and math and the Governor intends to pursue recommendations in this area for the application.

- Currently, 36 states require high school graduates to complete three years of both math and science.

- It is a requirement to apply to any of our University of Wisconsin institutions.

- The Governor is committed to preparing our students for advanced STEM education at the university and technical college level, and for careers in those areas, and that is why he proposes to have Wisconsin high school graduates complete 3 years of math and 3 years of science.

- By exposing our students in high school to more math and science course work they will be more interested in these fields of study in post-secondary education and be better prepared for the course work in these areas.

- The Governor wants to increase the number of graduates from our technical colleges and universities from STEM related fields.

- The number of graduates with a bachelor's degree in engineering was about 15% lower in 2005 than in 1985. Yet, demand for engineering graduates is increasing. The US Department of Labor estimated that the US needs 114,000 such graduates each year, but is producing about 65,000.

- Places such as China and India are producing more graduates in engineering fields each year at both the bachelor's and associate's degree levels.

- In Wisconsin, job openings in STEM-related fields are expected to be more than those in non-STEM related fields.

- We currently have some great programs in Wisconsin that support STEM education. These include programs such as Project Lead the Way and charter schools that focus on math and science.

- The Governor's application will identify other ways to support STEM education, but the legislature can take an

important step by passing a bill to require 3 years of math and science for our high school graduates.

Conclusion

- The bills before the legislature, as I have already discussed, are divided into 2 areas or categories.
- Eligibility requirements, that is those pieces that the state must have in place to have its application considered and competitive requirements or those measures that will help Wisconsin separate itself from the applications of other states.
- We that believe if these measures are enacted, Wisconsin will compete well for RTT grants, bringing most needed investment to our schools, for our children.
- I'd be happy to take any questions at this time from members of the committee.

JIM DOYLE
GOVERNOR
STATE OF WISCONSIN

Race to the Top Legislation – Fall 2009

Introduction: The proposals before the Wisconsin State Legislature that relate to the state's Race to the Top application can be divided into two categories: eligibility requirements and competitive requirements. The eligibility requirements are those pieces that the state needs to have in place in order to have its application considered. The competitive requirements are those pieces of the grant application that will help Wisconsin separate itself from the applications of other states.

In each of five areas – standards and assessments; data systems; great teachers and leaders; turning around struggling schools; and STEM – the US Department of Education will assess states on its application as it relates to meeting state reform condition and reform plan criterion. This document indicates how these legislative proposals directly and indirectly match up to the grant in these areas.

State Reform Conditions (SRC): Reward states that demonstrate existing will and capacity to improve through conditions that promote reform and innovation.

Reform Plan Criterion (RPC): Reward states that demonstrate comprehensive reform strategies that are ambitious yet achievable.

Eligibility Requirements

1. Teacher Evaluation and Student Performance: This initiative is required for the state's application to be considered. The Notice of Proposed Priorities states: "In order to be eligible to apply for the grant, states must not have any restrictions preventing the linkage of student data to teachers and principals." Furthermore, for the state's data system to be the cornerstone of reform that the grant envisions, the data system must be able to be used to analyze data linking teachers to students in order to provide educational agencies the best information about reform options.

- **Secretary Duncan has explicitly emphasized the importance of being able to link student data with teacher data in order to improve educational quality.** On June 8th of this year, in reference to existing firewall laws, Duncan asked his audience to consider the effect of these laws "Think about that: Laws that prohibit us from connecting children to the adults who teach them... These state firewalls don't help us. They hurt all of us. They impede our ability to serve students and better understand how we can improve American education... Now I absolutely respect the concerns of teachers that test scores alone should never be used solely to determine salaries. I absolutely agree with that sentiment."[1]
- <u>Areas of RttT Grant Directly Addressed</u>: C2 (RPC) Differentiating Teacher and Principal Effectiveness Based on Performance; C4 (RPC) Reporting the Effectiveness of Teacher and Principal Preparation Programs; C5 (RPC) Providing Effective Support to Teachers and Principals; E1 (SRC) Law or Policy Conditions Favorable to Education Reform and Innovation.

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[1] This speech can be accessed at: http://www.ed.gov/news/speeches/2009/06/06082009.html

- Areas of RttT Indirectly Addressed: A3 (RPC) Supporting Transition to Enhanced Standards and High-Quality Assessments; B1 (SRC) Full Implementing a Statewide Longitudinal Data System; B2 (RPC) Accessing and Using State Data; B3 (RPC) Using Data To Improve Instruction; Invitational Priority # 1.

2. **Data Sharing:** A longitudinal data system is a cornerstone of the reforms the Obama Administration is pursuing through the Race to the Top program and reauthorization of the Elementary and Secondary Education Act. The grant emphasizes that data from the various education partners must be shared and accessible by the agencies responsible for educating a state's students from PK-20. Such data sharing not only allows better tracking of educational outcomes, but also allows a state to have a much better understanding of the development of its human capital.

- **Through research, better data systems will allow states to focus their educational reforms, to discover which programs are working, and to identify what makes great teachers successful.** The Obama Administration wants states to create comprehensive data systems that can exchange information about students from PK-12 to college and university.
- Areas of RttT Grant Directly Addressed: B1 (SRC) Fully Implementing a Statewide Longitudinal Data System; B2 (RPC) Accessing and Using State Data; B3 (RPC) Using Data To Improve Instruction; E1 (SRC) Law or Policy Conditions Favorable to Education Reform and Innovation; Invitational Priority # 1 and # 2
- Areas of RttT Indirectly Addressed: A3 (RPC) Supporting Transition to Enhanced Standards and High-Quality Assessments; C2 (RPC) Differentiating Teacher and Principal Effectiveness Based on Performance; C4 (RPC) Reporting the Effectiveness of Teacher and Principal Preparation Programs; C5 (RPC) Providing Effective Support to Teachers and Principals

3. **School District Charters:** Section D2 (SRC) states: "The State should have statutes and guidelines regarding how charter school authorizers approve, monitor, hold accountable, reauthorize, and close charter schools." As part of WI Act 28, the legislature required non-instrumentality charter authorizers to consider the guidelines and principles put forward by the National Alliance of Charter School Authorizers. This proposal would extend that requirement to school districts that issue charters. The Wisconsin Charter School Association supports this proposal.

- **States and authorizers must set high standards but allow flexibility if charter schools are going to innovate and successfully complement the public school system.** In an address to the National Alliance for Public Charter Schools, Secretary Duncan said: "Your goal should be quality, not quantity. Charter authorizers need to do a better job of holding schools accountable— and the charter schools need to support them— loudly and sincerely... I applaud the work that the Alliance is doing with the National Association of Charter School Authorizers to strengthen academic and operational quality."[2]
- Areas of RttT Grant Directly Addressed: D2 (SRC) See above; D3 (RPC) Turning around struggling schools;
- Areas of RttT Indirectly Addressed: D1 (SRC) Intervening in the Lowest Performing schools and LEAs;

[2] This speech can be accessed at: http://www.ed.gov/news/speeches/2009/06/06222009.html

Competitive Requirements:

4. State Superintendent Authorities: A primary component of Race to the Top is allowing, if necessary, substantial interventions into chronically under-performing schools. The grant states: "The State should have the legal authority to intervene directly in the State's persistently lowest performing schools and in LEAs that are in improvement and corrective action status." The State Superintendent should have the authority to direct a persistently low-performing school or district to: implement new curriculum and instructional design, implement professional development strategies, make personnel changes consistent with collective bargaining agreements, and adopt other accountability measures to monitor the district's finances or to monitor interventions directed by the state superintendent.

- **The State is morally obligated to intervene in persistently failing schools and districts.** Secretary Duncan argues "States and districts have a legal obligation to hold administrators and teachers accountable, demand change and, where necessary, compel it. They have a moral obligation to do the right thing for those children."[3]
- **Areas of RttT Grant Directly Addressed**: D1 (SRC) Intervening in the lowest performing schools and LEAs; D3 (RPC) Turning around struggling schools (see above);
- **Areas of RttT Indirectly Addressed**: E1 (SRC) Favorable conditions for reform; E4 (RPC) Raising achievement and closing gaps; Invitational Priority # 3.

5. Third Year of Math and Science: 36 states require at least three years of math and science for high school graduation. A requirement that all Wisconsin high school graduates successfully complete three years of math and science is not only in line with the evolution of educational requirements across the nation, but is also an important component of other economic policies. There has been an increasing emphasis from the US Departments of Education and Labor on providing students and workers with the skills and knowledge necessary to thrive in a new knowledge-based economy.

- **WI needs more students prepared for careers in science, technology, engineering, and math in order to be economically competitive and successful in the long term.** Secretary Duncan stated, "In science, our eighth graders are behind their peers in eight countries that also participated in the original international assessment. In math, although scores have improved somewhat since 1995, our 15 year-olds' scores now lag behind those of 31 countries. Four countries— Korea, Singapore, Hong Kong and Finland— outperform U.S. students on math, science and all other subjects."[4]

  Wisconsin expects that more career openings will exist in fields related to science, engineering, technology and mathematics than in fields not related to those areas.[5] Providing our students with more exposure to math and science in high school will better prepare them for post-secondary education studies in these areas and the workforce.

- **Areas of RttT Grant Directly Addressed**: Competitive Preference Priority # 1 (STEM); A1 (SRC) Developing and Adopting common standards
- **Areas of RttT Indirectly Addressed**: A2 (SRC) Developing and implementing common high-quality assessments; E1 (SRC) Demonstrating significant progress; E4 (RPC) Raising achievement and closing gaps

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[3] See speech referenced in footnote 2.

[4] This speech can be accessed at: http://www.ed.gov/news/speeches/2009/10/10232009.html

[5] WI Department of Workforce Development

Assembly Committee on Education

Testimony of State Superintendent Tony Evers on 2009 Assembly Bills 533, 534, 535, 536, and 537

November 2, 2009

Thank you to Chairperson Pope-Roberts and members of the committee for the opportunity to testify in support of the five bills in front of you today. Together these bills, if enacted, will make us eligible for the Race to the Top grant program and take a significant step to making our state competitive for these dollars. Furthermore, these bills represent good education policy and will provide the state superintendent explicit authority to turn around struggling schools, the state to better utilize data to improve our efforts in both the K-12 and post-secondary educational systems to improve student achievement, provide guidance for charter school authorizers and create consistency in regards to our efforts to improve student achievement in our largest school district.

AB 533, would make the state eligible to apply for Race to the Top funds. In order to be eligible a state must not have any legal, statutory, or regulatory barriers to linking student achievement or student growth data to teachers for the purpose of teacher evaluation. This bill removes the barrier in our current statutes. It also provides an important assurance that tests are not used as the sole mechanism of evaluating teachers and a focus is maintained on using the evaluations to improve student achievement.

The next four bills are aligned with the major priorities of Race to the Top and go to the competitiveness of our application. The first, AB 534, would provide the State Superintendent with the authority under state statute to intervene to turn around struggling schools.

As part of the Race to the Top application, the state must demonstrate a comprehensive approach to turning around struggling schools. Specifically, the U.S. Department of Education is looking to see the extent to which the state has the legal, statutory, or regulatory authority to intervene directly in the state's persistently lowest-performing schools. The legislation you see in front of you would clearly address that provision.

AB 534 would allow the State Superintendent to direct school boards that have schools identified for improvement, or have their district identified for improvement, to do one of five things. They are: to implement a new curriculum, new instructional design, or professional development focused on student or school improvement, make personnel changes consistent with collective bargaining agreements, and establish accountability measures related to the district's finances or monitoring of recommendations. This authority would only apply to schools and districts during the time they are identified for improvement.

The bill provides for a rulemaking process to define a school or district identified for improvement. My intent is to put forward a rule that mirrors the definition we currently have under federal law defining schools and districts identified for improvement. In that rule I will further delineate that the department will only intervene in those schools that have been identified for five or more years and are not making adequate improvements, which puts the school in restructuring status under current federal law. In regards to school districts identified for improvement, I will only intervene in districts that are under corrective action status, which means they have been identified for four or more years. My intent is to focus only on those places that are struggling the most, places where student achievement levels are simply unacceptable.

The next bill before you today, AB 535, creates consistency in terms of the standards that should be considered when establishing a charter school. Independent charter schools are already required to consider the principles and standards of the National Association of Charter School Authorizers and under this bill all charter schools would have to do so. While we have strong charter schools in this state, this legislation will provide guidance for all charter school authorizers to approve, monitor and hold charter schools accountable.

AB 536 will provide the ability to link K-12 and postsecondary data in a statewide longitudinal data system that can be used to improve instruction. While the department does maintain a student identification system, this bill creates conditions for public or private research using the data, provides for the ability to connect education data and other data maintained by other agencies, such as workforce development data, and provides necessary protections for information that may contain personally identifiable information. As a condition of receiving federal stimulus funding, as well as a critical focus area under Race to the Top, the state had to ensure it would build a K-16 data system. The importance of our ability to connect our K-12 and post-secondary data will help better inform us on what we are doing at the K-12 to better prepare our students.

AB 537 would move a current grant program to improve pupil academic achievement for MPS from DOA to DPI and thus ensure an educationally consistent message from the state. As a state, we have critical work to do to improve student achievement in our largest school district. The department has been working with the Milwaukee Public Schools (MPS) on strategies to improve student achievement and has directed specific steps be taken as part of the district's corrective action plan. Yet as we continue to work with MPS, and as we look to apply for Race to the Top funds, it is advisable that as a state we are not asking MPS to implement different educational strategies from different agencies that could end up at cross purposes.

Thank you for the opportunity to speak before you today and I would be happy to answer any questions you may have.